ELECTORAL VOTE OBJECTION PACKET SUPPORTING EVIDENCE

STATE OF ALASKA CERTIFICATE OF VOTE

To the Honorable President of the Senate United States of America Washington, D. C.

We, the undersigned, being the duly elected electors for the State of Alaska, do hereby certify that on the 19th day of December, 2016, A.D., in the City and Borough of Juneau, State of Alaska, duly and regularly met and by authority of law vested in us, voted for President of the United States of America with the following result:

For President: Donald J. Trump 3 Votes

In Witness Whereof, we, the undersigned, have hereunto, in the City and Borough of Juneau, Alaska, on this 19th day of December, 2016, A.D., subscribed our respective names.

OF THE ON THE ON

Carolyn B. Leman

Sean R. Parnell

Jacqueline F. Tupou

STATE OF ALASKA CERTIFICATE OF VOTE

To the Honorable President of the Senate United States of America Washington, D. C.

We, the undersigned, being the duly elected electors for the State of Alaska, do hereby certify that on the 19th day of December, 2016, A.D., in the City of Borough of Juneau, State of Alaska, duly and regularly met and by authority of law vested in us, voted for Vice President of the United States of America with the following result:

For Vice President: Michael R. Pence 3 Votes

In Witness Whereof, we, the undersigned, have hereunto, in the City and Borough of Juneau, Alaska, on this 19th day of December, 2016, A.D., subscribed our respective names.

OF THE STATE OF ALASE

Carolyn B. Leman

Sean R. Parnell

Jacqueline F. Tupou



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District 1 - Honorable Frank Burt, Jr. (R)

North Baldwin County

Municipalities:

City of Bay Minette

Communities:

Little River, Blacksher, Latham, Vaughn, Stockton, Redtown, Lottie, Rabun, Perdido, Carpenter, Blakeley, Bromley, Cottage Hill, Pine Grove, Whitehouse Forks, Crossroads, Dyas, Phillipsville, Vangordon, Stapleton and Steelwood

Primary Office: (County Seat)

Honorable Frank Burt, Jr.

Office of County Commissioner, District No. 1 Baldwin County Administration Building 312 Courthouse Square, Suite 12 Bay Minette, Alabama 36507

Phone: 251.937.0395



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REPRESENTATIVE WADSWORTH, TIM

Legislature District/Biography Sponsored Legislation Committees



Affiliation:	(R)
District:	House District 14
County:	Jefferson County, Walker County, Winston County
Phone Number:	334-242-7554
Fax Number:	
Street:	11 South Union Street
Office:	Suite 528-D
City:	Montgomery
State:	AL
Postal Code:	36130-2950
Email:	wadsworth@centurytel.net

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Presidential Elector Ballot Certificate of Vote

To the Honorable President of the Senate, United States of America, Washington, D.C.

We, the undersigned, being the duly elected, qualified and acting presidential electors for the State of Arizona, do hereby certify that on the 19th day of December, 2016, at and within the City of Shoenix, County of Maricopa, State of Arizona, duly and regularly met and convened and then and there, by authority of law in us vested, voted for Gresident of the United States of America, with the following result:

For President Donald J. Trump 11 votes In Witness Whereof, we, the undersigned, have hereunto, at Phoenix, Arizona on this 19th day of December, 2016, subscribed our respective names. stalte beggy Bruce Ash Walter Begay, Sharn Diese Sharon Giese Jen Jayda Terry Hayden Alberto Gutier Carde Jozu Jane Pierpoint Lynch Carole Joyce 2 Total May James O Connor Edward Robson



Witnessed by

Michel L. Reason Michele L. Reagan Arizona Secretary of State



Presidential Elector Ballot Certificate of Vote

To the Konorable President of the Senate, United States of America, Washington, D.C.

We, the undersigned, being the duly elected, qualified and acting presidential electors for the State of Arizona, do hereby certify that on the 19th day of December, 2016, at and within the City of Phoenix, County of Maricopa, State of Arizona, duly and regularly met and convened and then and there, by authority of law in us vested, voted for Vice President of the United States of America, with the following result:

For Vice President Michael R. Pence 11 votes

In Witness Whereof, we, the undersigned, have hereunto, at Shoenix, Arizona on this 19th day of December, 2016, subscribed our respective names.

| Alter Begay, Ir. |
| Sharon Giese | Robert Graham |
| Alter Gutier | January Hayden |
| Carte Jane Gerpoint Tynch |
| J. Joster Morgan | James O'Connor |
| Edward Robson |
| Carte Robert Graham |
| Carte Jane Gerpoint Robson |
| Carte Robson |
|

Witnessed by

Michele L. Reagan

Arizona Secretary of State

Wichelia. Reagan

GOVERNOR DOUGLAS A. DUCEY

STATE OF ARIZONA

CERTIFICATE OF ASCERTAINMENT FOR PRESIDENTIAL ELECTORS

I, Douglas A. Ducey, Governor of the State of Arizona, do hereby certify that:

The Official Canvass of the General Election held on Tuesday, November 8, 2016, shows the following results for the office of Presidential Electors for President and Vice President of the United States, as certified by the boards of supervisors of the several counties of the state of Arizona. The Official Canvass indicates that the following group of eleven individuals:

REPUBLICAN PARTY PRESIDENTIAL ELECTORS

Presidential Candidate Donald J. Trump Vice Presidential Candidate Michael R. Pence

NAME	NUMBER OF VOTES
Ash, Bruce	1,252,401
Begay, Jr., Walter	1,252,401
Giese, Sharon	1,252,401
Graham, Robert	1,252,401
Gutier, Alberto	1,252,401
Hayden, Jerry	1,252,401
Joyce, Carole	1,252,401
Lynch, Jane Pierpoint	1,252,401
Morgan, J. Foster	1,252,401
O'Connor, James	1,252,401
Robson, Edward	1,252,401

received the highest number of votes cast for any candidate for this office, and having complied with all provisions required by law for candidates in general elections, they are duly elected Presidential Electors.

I further certify that the following Presidential Electors received the number of votes indicated:

DEMOCRATIC PARTY PRESIDENTIAL ELECTORS

Presidential Candidate Hillary Clinton Vice Presidential Candidate Tim Kaine

NAME	NUMBER OF VOTES
Carlyle, Delia	1,161,167
Giffords, Gabrielle	1,161,167
Grissom, Pamela	1,161,167
Heredia, Luis Alberto	1,161,167
Reveles, Roberto	1,161,167
Roe, Bill	1,161,167
Story, Naomi O.	1,161,167
Tameron, Alexis	1,161,167
Tarkington, Lavern	1,161,167
Woods, Corey	1,161,167
Zah, Peterson	1,161,167

LIBERTARIAN PARTY PRESIDENTIAL ELECTORS

Presidential Candidate Gary Johnson Vice Presidential Candidate Bill Weld

NAME	NUMBER OF VOTES
Bennett, Ruth E.	106,327
Black, Micah	106,327
Cobb, Joe Michael	106,327
Doko, Zhani	106,327
Hancock, Ernest	106,327
Kielsky, Michael	106,327
Sarwark, Frank	106,327
Sarwark, Nicholas	106,327
Severin, Warren	106,327
Shipley, Mike	106,327
Wolett, Chad	106,327

GREEN PARTY PRESIDENTIAL ELECTORS

Presidential Candidate Jill Stein Vice Presidential Candidate Ajamu Baraka

NAME	NUMBER OF VOTES
Castorena, Celeste M.	34,345
Dixon, Angela	34,345
Dixon, Betty	34,345
Gallagher, Theresa	34,345
Macias, Antonio	34,345
Macias, Linda	34,345
McMurrin, Betty J.	34,345
Olea, Elisa Maria	34,345
Scott, Richard	34,345
Torres, Angel	34,345
Warner, Geneva	34,345

INDEPENDENT PRESIDENTIAL ELECTORS

Write-in Presidential Candidate Evan McMullin Write-in Vice Presidential Candidate Nathan Johnson

Trito in Tioo i Tooldondar odrialadio Hatrian oomioon		
NAME	NUMBER OF VOTES	
Baggiore, Bryan	17,449	
Earl, Danielle	17,449	
Harless, Amanda	17,449	
Harless, Richard	17,449	
McCoy, Joshua B.	17,449	
Monson, Kameo	17,449	
Patience, Cynthia Estela	17,449	
Robertson, Emily	17,449	
Verbil, John	17,449	
Weight, Alden	17,449	
Wudel, Amy	17,449	

CONSTITUTION PARTY PRESIDENTIAL ELECTORS

Write-in Presidential Candidate Darrell Castle Write-in Vice Presidential Candidate Scott N. Bradley

NAME	NUMBER OF VOTES
Baier, Jason	1,058
Ballew, Michael	1,058
Brown, Ivan C.	1,058
Cox, Stephanie	1,058
George, Randal	1,058
Haran, Bob	1,058
Hoodenpyle, James	1,058
Hoodenpyle, Shannon	1,058
Hughes, Ralph	1,058
Kern, Bob	1,058
Miller, Kent	1,058

PRESIDENTIAL ELECTORS

Write-in Presidential Candidate Tom Hoefling Write-in Vice Presidential Candidate Steve Schulin

NAME	NUMBER OF VOTES
Abram, Jenelle	85
Abram, Mark	85
Downs, Samantha	85
Jones, James	85
Jones, Janetta	85
Jones, Janice L.	85
Jones, Jay	85
Jones, Jonathan	85
Stark, Sharon	85
Sussman, Michael	85
Whitehouse, Sara	85

PRESIDENTIAL ELECTORS

Write-in Presidential Candidate Mike Smith Write-in Vice Presidential Candidate Daniel White

NAME	NUMBER OF VOTES
Fowler, Andrew	62
Fowler, Michelle	62
Fowler, Shana	62
Fowler, Theodore	62
Miller, Bradley	62
Miller, Holly	62
Miller, Lene	62
Morgan, Brian	62
Morgan, Danielle	62
Schanaker, Dustin P.	62
St. Clair, Sean	62

PRESIDENTIAL ELECTORS

Write-in Presidential Candidate Robert L. Buchanan Write-in Vice Presidential Candidate Jason Washington

NAME	NUMBER OF VOTES
Arsenault, Richard	56
Brown, Lindsay	56
Flores, Daniela	56
Gutierrez, Jose	56
Lewis, Amanda	56
Macklin, Rodney	56
Morales, Jazmine	56
Navarro, Jenna	56
Van Der Linden, Deanna	56
Van Der Linden, Thomas	56
Wilson, Russell	56

PRESIDENTIAL ELECTORS

Write-in Presidential Candidate Laurence Kotlikoff Write-in Vice Presidential Candidate Edward Leamer

NAME	NUMBER OF VOTES
Anspach, Dana	52
Black, Shawn	52
Buchwalter, Leena	52
Buchwalter, Stephen	52
Clyde, Thomas	52
Ennist, Christopher	52
Fishback, Price	52
Norr, Hans	52
Ponder, William	52
Silverman, Daniel	52
Walker, Mark	52

DEMOCRATIC PARTY PRESIDENTIAL ELECTORS

Write-in Presidential Candidate Willie Felix Carter Write-in Vice Presidential Candidate Donald Dear

Wille in vice i residential candidate boliala bear		
NAME	NUMBER OF VOTES	
Chambers, Ronald	42	
Garcia, Orlando	42	
Huniziker, Larry	42	
Jerik, Austin	42	
Martin, Ralph	42	
Noland, Forrest	42	
Persson, Kinsey	42	
Rudean, Sustina	42	
Rudisill, Eric	42	
Rupe, Frances	42	
Wojnar, Scott	42	

AMERICAN DELTA PARTY PRESIDENTIAL ELECTORS Write-in Presidential Candidate "Rocky" Roque De La Fuente Write-in Vice Presidential Candidate Michael Steinberg

NAME	NUMBER OF VOTES
Ethington, Jadee	29
Jewell, Susan	29
King, Lona	29
Lee, Claude	29
Lee, Ryan	29
Patterson, Harold	29
Poland, Matthew	29
Roblee, Dana	29
Schultz, Joni	29
Steffey, Amilynne	29
Steffey, Benselee	29

PRESIDENTIAL ELECTORS

Write-in Presidential Candidate Mitchell In-Albon Write-in Vice Presidential Candidate Magdalena Morales

TTHE III TIOO I TOOIGOTHIGI OGITGIGGE THE	aguaroria moraro
NAME	NUMBER OF VOTES
Arviso, Letty	24
Campbell, Christopher	24
Celaya, Michael	24
Celaya, Sherry	24
Ibarra, Samuel	24
In-Albon, Alexandra	24
Kincaid, Cynthia	24
Ouellette, Sandra	24
Pallas, Joyce	24
Ryan Gomez, Patricia	24
Woolley, Nicholas	24

INDEPENDENT PARTY PRESIDENTIAL ELECTORS

Write-in Presidential Candidate Joseph Maldonado Write-in Vice Presidential Candidate Douglas Terranova

NAME	NUMBER OF VOTES
Close, Sheri	20
De Paz, Jennifer	20
Geiger, Sonya	20
Herrera, Kevin	20
Herrera, Kimberly	20
Hynes, Alex	20
Hynes, James	20
Hynes, Karen	20
Kavanaugh, Dawn	20
Maestri, Catharine	20
Maestri, James	20

PRESIDENTIAL ELECTORS

Write-in Presidential Candidate Cherunda Fox Write-in Vice Presidential Candidate Roger Kushner

NAME_	NUMBER OF VOTES
De Weaver, Lisa	14
Evans, Nicole	14
Gordon, Eugene	14
Hardy, Tasha	14
Henrie, Brandon	14
Henrie, Kurt	14
Murrel, Rosalind	14
Perry, Charles	14
Quarnberg, Cami	14
Segundo, Cristin	14
Soles-Tuck, Pauline	14

GOVERNOR DOUGLAS A. DUCEY

STATE OF ARIZONA

WE THE PEOPLE PARTY PRESIDENTIAL ELECTORS

Write-in Presidential Candidate Sheila "SAMM" Tittle Write-in Vice Presidential Candidate R. Charles Kacprowicz

NAME	NUMBER OF VOTES
Andrews, Michael	12
Bellinger, Jeremiah	12
Finnegan, Robert	12
Keene, Steven	12
Moreau, Jesse	12
Rumsey, Lance	12
Skorski, Carey	12
Smith, Darin	12
Snider, Jason	12
Thompson, Danielle	12
Tuit, Joseph	12

PRESIDENTIAL ELECTORS

Write-in Presidential Candidate Ben Hartnell Write-in Vice Presidential Candidate Dave Marshall

NAME	NUMBER OF VOTES
Belkin, Bruce	11
Belkin, Carol	11
Dodin, Dan	11
Garcia, Jaclyn	11
Nagelhout, Debora	11
Plush, Leah	11
Possehl, Lindsey	11
Possehl, Nicholas	11
Prendergast, Virginia	11
Sprouse, Mitchell	N 11
Sprouse, Summer	11

PRESIDENTIAL ELECTORS

Write-in Presidential Candidate Marshall Schoenke Write-in Vice Presidential Candidate James Mitchell Jr.

INDEPENDENT PARTY PRESIDENTIAL ELECTORS

Write-in Presidential Candidate Delano Steinacker Write-in Vice Presidential Candidate Ronald Crider

NAME	NUMBER OF VOTES
Acosta, Francisco	4
Bankes, Julie	4
Elias, Briana	4
Holzworth, Augie	4
Hurtado, Jerry	4
Lehman, Jordan	4
Montano, Martin	4
Paulin, Jessica	4
Valentine, Anthony	4
Wilson, Robin	4
Wilson, Tommy	4

PRESIDENTIAL ELECTORS

Write-in Presidential Candidate Michael Corsetti Write-in Vice Presidential Candidate Lisa Geiger

NAME	NUMBER OF VOTES
Brand, Alison	3
Cisneros, Melissa	3
Corsetti, Briana	3
Corsetti, Thomas	3
De La Cruz, Jose	3
Hernandez, Raymond	3
Johnson, Kelsey	3
Lara, Heather	3
Mayo, Sean	3
Ruggeri, Mark	3
Shaw, Laura	3



IN WITNESS WHEROF, I have hereunto set my hand and caused to be affixed the Great Seal of the State of Arizona.

DOUGLAS A. DUCEY GOVERNOR

Tought toes

DONE at the Capitol in Phoenix on this eighth day of December in the Year Two Thousand Sixteen and of the Independence of the United States of America Two Hundred Forty-First.

ATTEST:

MICHELE REAGAN SECRETARY OF STATE

Michele Resgar



Certificate of Vote For President of the United States

WE, the undersigned duly elected and qualified Presidential Electors for the State of Arkansas for the year 2016, hereby certify that we have met at the State Capitol, Old Supreme Court Chamber, Little Rock, Arkansas, on December 19, 2016, as provided by law, and have cast our ballot for the President of the United States.

FURTHERMORE, we hereby certify that we have cast our separate ballots for the President of the United States as follows:

For the President of the United States

Donald J. Trump

Number of Electoral Votes -

IN WITNESS WHEREOF, we have hereunto subscribed our names this 19th day of December, 2016.

The Honorable Jonathan Barnett, Elector

The Honorable Jonelle Fulmer, Elector

The Honorable Keith Gibson, Elector

The Honorable Tommy Land, Elector

----, -----,

The Honorable John Nabholz, Elector

The Honorable Sharon R. Wright, Elector



Certificate of Vote For Vice President of the United States

WE, the undersigned duly elected and qualified Presidential Electors for the State of Arkansas for the year 2016, hereby certify that we have met at the State Capitol, Old Supreme Court Chamber, Little Rock, Arkansas, on December 19, 2016, as provided by law, and have cast our ballot for the Vice President of the United States.

FURTHERMORE, we hereby certify that we have cast our separate ballots for the Vice President of the United States as follows:

For the Vice President of the United States

Michael R. Pence

Number of Electoral Votes -

IN WITNESS WHEREOF, we have hereunto subscribed our names this 19th day of December, 2016.

he Honorable Jonathan Barnett, Elector

The Honorable Jonelle Fulmer, Elector

The Honorable Keith Gibson, Elector

The Honorable Tommy Land, Elector

The Monorable John Nabholz Elector

The Honorable Sharon R. Wright, Elector

STATE OF ARKANISAS

BX SCRUINED BEALTHAIR

PROCLAMATION

I, ASA HUTCHINSON, Governor of the State of Arkansas, pursuant to certification by the Honorable Mark Martin, Secretary of State of Arkansas, have ascertained and do hereby declare that the electors for the following persons received the highest number of votes for President and Vice President of the United States by the qualified electors of the State of Arkansas in the General Election held in Arkansas on November 8, 2016:

Total Votes:

Donald J. Trump

President

Republican Party

684,872

Michael R. Pence Vice President

NOW, THEREFORE, pursuant to Arkansas Code Annotated § 7-8-301 et seq., I do hereby proclaim the following were elected Presidential Electors for the State of Arkansas in the General Election held in Arkansas on November 8, 2016:

Elector (At-large)

Address

Jonathan Barnett

1980 Hwy. 412, Siloam Springs, AR 72761

Jonelle Fulmer

5209 Rosewood Circle, Fort Smith, AR 72903

Keith Gibson

P.O. Box 230, Lavaca, AR 72941

Tommy Land

199 Heber Springs Rd. W, Heber Springs, AR 72543

John Nabholz

612 Garland St., Conway, AR 72032

Sharon R. Wright

P.O. Box 1078, Hope, AR 71802

FURTHERMORE, for other nominees, I do hereby proclaim that the following is the certified tabulation of votes cast for electors for President and Vice President in the General Election held in Arkansas on November 8, 2016:

Total Votes:

Darrell L. Castle

President

Constitution Party

4,613

Scott N. Bradley

Vice President

(Electors: Tom Mayfield, Sara Mayfield, Randall L. Moll, Yolanda S. Moll, Mark Moore, Craig Middlebrook)

Hillary Clinton

President

Democratic Party

380,494

Tim Kaine

Vice President

(Electors: Sheila Bronfman, Jimmie Lou Fisher, Vivian Flowers, Denise Garner, Barry Hyde, Lottie Shackelford)

Jim Hedges

President

Independent

4,709

Bill Bayes

Vice President

(Electors: Tasha A. Tidwell, Tonya Page, Anita G. McKenzie, Ladana Francois, Cynthia Ivy, Randy J. Ivy)

Gary Johnson

President

Libertarian Party

29,829

Bill Weld

Vice President

(Electors: Mitchell Clay, William Brackeen, Melissa Woodall, Judy Bowers, Michael Pakko, James Woodall)

Lynn S. Kahn Kathleen Monahan President Vice President Independent

3,390

(Electors: Lawrence Curtis Bandy, David L. Spurr, Tamesia Warren, Cynthia Franke Bandy, Julia Lagun, Kenneth B. Smith)

Evan McMullin Nathan Johnson President Vice President

Better For America

13,255

(Electors: Jerry Nathan Bell, Russell Carter, Reid Thomas, Jennifer Fournier, Lizz Bennett, Janae Robinson)

Jill Stein Ajamu Baraka President Vice President Green Party

9,473

(Electors: Ken Adler, Mark Jenkins, Stephen Vallus, Mark Swaney, Josh Drake, Barbara Ward)

FURTHERMORE, I do hereby proclaim that the aforesaid duly elected and qualified Presidential Electors are summoned to meet at the State Capitol, Old Supreme Court Chamber, in Little Rock, as designated by the Honorable Mark Martin, Secretary of State of Arkansas. The meeting will be held the first Monday following the second Wednesday in December (December 19, 2016, 10:00 a.m.) and the duly elected Presidential Electors will give their votes for President and Vice President of the United States, and perform such duties as required by law.

IN TESTIMONY WHEREOF, I have hereunto set my hand and caused the Great Seal of the State of Arkansas to be affixed this 2nd day of December, in the year of our Lord 2016.

Asa Hutchinson, Governor

ARE STATE OF AREA AND AREA AND

Attest:

Mark Martin, Secretary Of State



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PARTY RULES (/RULES/)

FEDERAL ELECTED
OFFICIALS (/ELECTEDOFFICIALS/)

CONSTITUTIONAL OFFICERS (/CONSTITUTIONAL-OFFICERS/)

STATE LEGISLATORS (/STATE-LEGISLATORS/)

REPUBLICAN PARTY OF ARKANSAS - LEADERSHIP

CHAIRMAN: DOYLE WEBB

NATIONAL COMMITTEEMAN: JONATHAN BARNETT

NATIONAL COMMITTEEWOMAN: JONELLE FULMER

1ST VICE CHAIRMAN: DUANE NEAL - 479-271-0615 - NEALD@COX.NET

2ND VICE CHAIRMAN: ROBIN LUNDSTRUM - 479-248-1080 - RLUNDSTRUM@COX.NET

TREASURER: JOHN PARKE - 501-831-1703

- JPARKE@DEMOCRATPRINTING.COM

SECRETARY: JENNIFER PARKS - 870-863-5752

- KERMITPARKS@SUDDENLINK.NET

1ST DISTRICT: TOMMY LAND

- TOMMYLAND@SBCGLOBAL.NET

2ND DISTRICT: JOHN NABHOLZ

- JOHN.NABHOLZ@NABHOLZ.COM

3RD DISTRICT: KEITH GIBSON - KEITHG@PINNCOM.COM

4TH DISTRICT: SHARON WRIGHT

- SWRIGHT028@YAHOO.COM

The Turn That I

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🚰 🧣 🖳 🧿

← → C https://voterrecords.com/voters/ar/keith+gibson/1

Keith Gibson has 0 Voter Records in Arkansas

View the detailed voter registration records for 0 voters named Keith Gibson in Arkansas. Details may include related records, political party, location, and more.













Secretary of State Elections Division



ARKANSAS SECRETARY OF STATE

HOME

REGISTRATION INFORMATION

ABSENTEE BALLOT



We're sorry, no records were found with the criteria entered. Please check your information and try again.

Registrant Search

* First Name

* Last Name

keith

gibson

* Date of Birth

Aug

1953 \$

* Denotes a required field.

16

Search



Tommy Dubois Land (age 63) is listed at 314 College Park Drive North Little Rock, AR and is affiliated with the Optional Party. Tommy is registered to vote in Pulaski County, Arkansas.





Overview of Tommy Dubois Land

Lives in: North Little Rock, Arkansas

Phone: (501) 888-6848

Age: 63

Tommy Land's Voter Registration

Party Affiliation: Optional

Registered to Vote In: Pulaski County, Arkansas

Registration Date: 11/19/1997

Voter Status: Active

Status Reason: Re-Activated (Updated Record)

Precinct: Precinct 017 17.02 Congressional District: 002

House District: 037

Voter Information Details

New Voter Search (search.asp)

ID Number:	1440652	Last Date Voted:	11/8/2016	Date Registered:	11/19/1997

Tit	le	Name	Date Of Birth	Status
		Tommy Dubois Land	2/2/1953	A

Address	Apt	City, State, Zip	Precinct
314 College Park Dr		North Little Rock, AR 72114	017

Polling Place				Location	า		
Willow House Activity Center				2500 Willow St, North Little Rock AR 72114			
School	School	City Limit	City Ward		Congressional District	Judicial	District Court
District	Zone	Oity Limit	Oity Ward		Congressional District	District	District Court
NLR	02	Υ	NLR1		002	6.1	

State Representative	State Senator	JP District
37 Eddie L. Armstrong III	30 Linda Pondexter Chesterfield	10 Rev. Robert E. Green, Sr.

Precinct Split	Political Party
17.02	Optional

If your status is listed as "I", you have been placed into an "inactive" file. If you are listed as "inactive", your address is incorrect, or you have any issue, then please call our office at 340-8683 immediately to correct the problem. If you wish to download a change of address form, please Click Here (https://static.ark.org/eeuploads/pulaski/VRAddressNameChangeForm.pdf).

Pulaski Circuit/County Clerk

401 West Markham St, Ste 100 Little Rock, Arkansas 72201 Phone: 501.340.8500

Contact Us (http://pulaskiclerk.com/) | Google Map (https://maps.google.com/maps?

 $q = Pulaski + Circuit + County + Clerk + 401 + West + Markham + Street + Little + Rock, + Arkansas + 72201 \\ \& hl = en \\ \& ll = 34.748295, -92.279921 \\ \& spn = 0.011813, 0.024719 \\ \& sll = 34.748548, -92.274851 \\ \& sll = 34.748295, -92.279921 \\ \& spn = 0.011813, 0.024719 \\ \& sll = 34.748295, -92.279921 \\ \& spn = 0.011813, 0.024719 \\ \& sll = 34.748295, -92.279921 \\ \& spn = 0.011813, 0.024719 \\ \& sll = 34.748295, -92.279921 \\ \& spn = 0.011813, 0.024719 \\ \& sll = 34.748295, -92.279921 \\ \& spn = 0.011813, 0.024719 \\ \& sll = 34.748295, -92.279921 \\ \& spn = 0.011813, 0.024719 \\ \& sll = 34.748295, -92.279921 \\ \& spn = 0.011813, 0.024719 \\ \& sll = 34.748295, -92.279921 \\ \& sll = 34.748295, -92.27992$

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Aikansas.gov (http://www.arkansas.gov)



State of Florida

ELECTORS' CERTIFICATE OF VOTES CAST FOR PRESIDENT AND VICE PRESIDENT OF THE UNITED STATES

We, the undersigned duly elected and serving Electors for President and Vice President, hereby certify that we have this day met at the Capitol in Tallahassee, Florida, and cast our votes for President of the United States and our votes for Vice President of the United States, and that the results are as follows:

Those receiving votes for President of the United States and the number of such votes were:

Donald J. Trump

Those receiving votes for Vice President of the United States and the number of such votes were:

Michael R. Pence

29

Done at the Capitol, Tallahassee, Florida, this the 19th day of December, A.D., 2016

Larry Ahern

Kristy Banks

Lizbeth Benacquisto

Dena DeCamp

Jeremy Evans

Nick DiCeglie

1/2/11	Pota Follow
John Falconetti	Peter Feaman
Kat Gates-Skipper	Joe Gruters Joe Gruters
Debbie Hannifan	Blaise Ingoglia
Tony Ledbetter 4	Mulioul S Mobiley Mike Moberley
Susan Moore	Joe Negron
Clint Pate	Adrien "Bo" Rivard
Ray Rodrigues	Carlos Trujillo
Robert Watkins	Susie Wiles
Christian Žiegler	
THE STATE OF THE PARTY OF THE P	
	IN WITNESS WHEREOF I have hereunto set my hand and caused the Great Seal of the State of Florida to be affixed this 19th day of December, A.D., 2016.

KEN DETZNER SECRETARY OF STATE



State of Florida

Office of the Governor

Certificate of Ascertainment

WHEREAS, Section 103.011, Florida Statutes, provides that votes cast for candidates for President and Vice President shall be counted as votes cast for the presidential electors supporting such candidates; and

WHEREAS, pursuant to Section 102.111, Florida Statutes, the Elections Canvassing Commission has certified the returns of the presidential election occurring on November 8, 2016, which showed that presidential electors nominated by the Republican Party of Florida received the highest number of votes for President and Vice President, respectively; and

WHEREAS, Section 103.011, Florida Statutes, provides that the presidential electors of the candidates for President and Vice President who receive the highest number of votes are elected; and

WHEREAS, pursuant to Section 103.011, Florida Statutes, the Department of State has certified as elected the presidential electors supporting Donald J. Trump and Michael R. Pence;

NOW THEREFORE, I, Rick Scott, Governor of the State of Florida, hereby ascertain and determine from the attached certificate as elected the Presidential Electors chosen by the voters of the State of Florida, along with the number of votes cast for those electors; and the list of names of the other nominated or certified electors not chosen by the voters, along with the number of votes cast for those electors.



IN TESTIMONY WHEREOF, I have hereunto set my hand and caused the Great Seal of the State of Florida to be affixed, at the Capitol, in Tallahassee, this day of November, 2016.

RICK SCOTT GOVERNOR

ATTEST:

KEN DETZNER SECRETARY OF STATE



State of Florida Department of State

Certificate of Election of Presidential Electors

WHEREAS, Section 103.011, Florida Statutes, provides that votes cast for candidates for President and Vice President shall be counted as votes cast for the presidential electors supporting such candidates; and

WHEREAS, Section 103.011, Florida Statutes, provides that the presidential electors of the candidates for President and Vice President who receive the highest number of votes are elected; and

WHEREAS, Section 103.011, Florida Statutes, provides that the Department of State shall certify as elected the presidential electors of the candidates for President and Vice President who receive the highest number of votes; and

WHEREAS, according to the returns certified by the Elections Canvassing Commission pursuant to Section 102.111, Florida Statutes, the electors for Donald J. Trump and Michael R. Pence, as President and Vice President, respectively, received the highest number of votes, respectively, in the November 8, 2016, election;

NOW THEREFORE, I hereby certify that the following candidates for presidential electors were elected at the election held on November 8, 2016 and the number of votes cast for such electors:

Larry Ahern
Brian Ballard
Kristy Banks
Michael Barnett
LizBeth Benacquisto
Robin Bernstein
Pam Bondi
John Browning
Sharon Day
Dena DeCamp

Nick DiCeglie
Jeremy Evans
John Falconetti
Peter Feaman
Kat Gates-Skipper
Joe Gruters
Debbie Hannifan
Blaise Ingoglia
Tony Ledbetter
Mike Moberley

Susan Moore
Joe Negron
Clint Pate
Adrien "Bo" Rivard
Ray Rodrigues
Carlos Trujillo
Robert Watkins
Susie Wiles
Christian Ziegler

Number of votes – 4,617,886

IN TESTIMONY WHEREOF, I have hereunto set my hand and caused the Great Seal of the State of Florida to be affixed, at Tallahassee, Florida, this ______day of November, 2016.

KEN DETZNER

SECRETARY OF STATE

LIST OF OTHER NOMINATED/CERTIFIED ELECTORS

ELECTORS FOR FLORIDA DEMOCRATIC PARTY

Number of Votes for Candidates Hillary Rodham Clinton/Timothy Michael Kaine - 4,504,975

- 1. Pat Schroeder
- 2. Ashley Walker
- 3. Alison Morano
- 4. Allison Tant
- 5. Lisa King
- 6. Mia Jones
- 7. Janet Cruz
- 8. Lisa Lickstein
- 9. Arthenia Joyner
- 10. Sybrina Fulton

- 11. Barbara Sharief
- 12. Abigail Pollak
- 13. Viviana Janer
- 14. Nan Rich
- 15. Susan McGrath
- 16. Scott Arceneaux
- 17. David Richardson
- 18. Raul Martinez, Sr.
- 19. Benjamin Crump
- 20. Kendrick Meek

- 21. Andrew Gillum
- 22. Chris Korge
- 23. Ken Evans
- 24. Victor Curry
- 25. Clarence Anthony
- 26. Cedric McMinn
- 27. Robert Julien
- 28. Bob Buckhorn
- 29. Alex Heckler

ELECTORS FOR LIBERTARIAN PARTY OF FLORIDA

Number of Votes for Candidates Gary Johnson/Bill Weld - 207,043

- 1. Peter Joseph Blome
- 2. Char-Lez Bal Braden
- 3. Michelle Suzanne Bryant
- 4. Richard Alan Creamer
- 5. Robert August Enright, III
- 6. Zachary Phillip Garretson
- 7. Shane W. George
- 8. Susan George
- 9. Suzanne Amy Gilmore
- 10. Lawrence Gilbert Gough

- 11. Elsa Miriam Grifoni
- 12. Matthew Daniel Hasty
- 13. Charles R. House
- 14. Lynn Ann House
- 15. Augustus Sol Invictus
- 16. George Lebovitz
- 17. Jessica L. Mears
- 18. Anna Marie Morris
- 19. James C. Morris
- 20. Omar E. Recuero

- 21. Ronald B Rollins
- 22. Clarence Anthony Sellers
- 23. John Richard Thompson
- 24. Donnie W. Torok, Jr.
- 25. Joann Vaccarino
- 26. Michael A. Vaccarino
- 27. George Robert Whitfield
- 28. John Russell Wood
- 29. Gabriel Jude Wozniak

ELECTORS FOR CONSTITUTION PARTY OF FLORIDA

Number of Votes for Candidates Darrell L. Castle/Scott N. Bradley - 16,475

- William R. Wayland
 James A. Penna, Jr.
- 3. Lois A. McLain
- 4. Louis J. Tart
- 5. Alice Tart
- 6. Brian Tortorelli
- 7. Bob Bent
- 8. Bernie De Castro
- 9. Barbara R. Grimaldi
- 10. Kent Nelson

- 11. Richard Wilmot
- 12. Jeannie Wilmot
- 13. Wendell Beattie
- 14. Andrew Ernest Reid
- 15. Ani Kambur
- 16. Timothy Richard Davis
- 17. Barbara K. Dennington
- 18. Donald Lock
- 19. Samuel D. Mathis
- 20. Joseph Marrero

- 21. Phillip David Reese
- 22. Roger William Woodruff
- 23. Kimberly M. Parker
- 24. Edleia De Olivera
- 25. Richard E. Santella
- 26. David C. Crowell
- 27. Donald G. Arahood 28. Charles Frederick Tolbert
- 29. Scott Walter Tolbert

ELECTORS FOR GREEN PARTY OF FLORIDA

Number of Votes for Candidates Jill Stein/Ajamu Baraka - 64,399

- 1. Bonnie Redding
- 2. Stephen Thomas Allen
- 3. Richard Carpenter
- 4. Jordan Alexander Brown
- 5. Henry Newman Lawrence III
- 6. Joshua Roy Pritchett
- 7. Shaun Wade Bennett
- 8. Parry R. Donze
- 9. Jennifer A. Sullivan
- 10. James Jones

- 11. Larry D. Snider, Jr.
- 12. Jim Howe
- 13. Harold J. Patterson Jr.
- 14. Oliver Kofoid
- 15. Jason Kofender 16. Victor Agosto
- 17. Catherine Gilbert
- 18. Steve Showen
- 19. Michelle Dalnoky 20. Silvie Suri-Perez
- 21. Anita Marie Stewart
- 22. Sarah Steiner
- 23. Nelson Betancourt
- 24. Friedemann Buschbeck
- 25. Mark Manning
- 26. Christopher Paul Eiler
- 27. Andrea A. Wright
- 28. J. Daniel Griffith
- 29. Corina Vacco

ELECTORS FOR REFORM PARTY OF FLORIDA

Number of Votes for Candidates Roque (Rocky) De La Fuente/Michael Steinberg - 9,108

- 1. Kimberly W. Barrett
- 2. Brian Robert Birchfield
- 3. Corinne M. Burkett
- 4. Michael Anthony Clemons
- 5. David George Crockett
- 6. Rhonda Lee Drummond
- 7. William Cleave Drummond II
- 8. Susan L. Evans
- 9. Dennis Anthony Heyn
- 10. Davina Trish Hovanec

- 11. Kaley Lane Messner
- 12. Patrick Michael Molen
- 13. Herman Muller
- 14. Courtney Paige Pellioer
- 15. Farhood Rezvani
- 16. Darcy George Richardson
- 17. Gary Eugene Robertson
- 18. Adrienne M. Rodgers
- 19. Donna Jean Shankle
- 20. Jennings P. Shankle Jr.

- 21. Gary Douglas Southerland
- 22. Ivan Stanojkovic
- 23. Joann Stevener
- 24. Heather Ellen Stover
- 25. Jonathan Allen Tondro
- 26. Louise M. Tracey
- 27. Vincent Gregory Tracey
- 28. Michael Edwin Whitley
- 29. Stephen Christopher York

ELECTORS FOR ANDREW D. BASIAGO/KAREN D. KINNISON - WRITE-IN CANDIDATES

Number of Votes for Candidates - 24

- 1. Germaine Herrold
- 2. Oralia Anes
- 3. Harry Gobel
- 4. Antoinette Busher-Fischer
- 5. Raymondo Anes
- 6. Juan Bastran
- 7. Danny Pie
- 8. Miguel Rivera
- 9. Deisy Janaro
- 10. Robert Linehal

- 11. Dalton Williams
- 12. Jonathan Hager
- 13. Marcos Vargas
- 14. Keli R. Vargas
- 15. Stacy Ashbaugh
- 16. Kelly Lee Tensley
- 17. Joseph Kuzman
- 18. Matthew Tensley
- 19. Barbra Ianni
- 20. Teresa Fekany

- 21. Anthony Fekani
- 22. Terri Mann
- 23. Lynn Miracle
- 24. Dana Carroll
- 25. Robert Walsh
- 26. Nancy Walsh
- 27. Sally Carroll
- 28. Kevin D. Tensley
- 29. Christian Vargas

ELECTORS FOR RICHARD DUNCAN/RICKY JOHNSON - WRITE-IN CANDIDATES

Number of Votes for Candidates - 25

- 1. Lisa Marcus
- 2. Billy Baker
- 3. Eleanor Stone
- 4. Laurie Kimball
- 5. Lisa Sapp
- 6. Stacy Fusie
- 7. Robert Sanchez
- 8. Lawrence Ferrera
- 9. Richard Kennedy
- 10. John Lima

- 11. Joe Maguire
- 12. Antonia Mullins
- 13. Danielle Simmons
- 14. Megan Adams
- 15. Hannah Conway
- 16. Pam McClain
- 17. Kathy Cornelius
- 18. Kim Komusa
- 19. Clarence Jons20. Robert Davidson

- 21. Pam Glenn
- 22. George Rogsdale
- 23. Chris Crenshaw
- 24 T. D
- 24. Taurino Perez25. Heidi Livingston
- 26. Ann Brown
- 27. Mamaine Little
- 28. Antevo Sierra
- 29. Sharon Duffy

ELECTORS FOR CHERUNDA FOX/ROGER KUSHNER - WRITE-IN CANDIDATES

Number of Votes for Candidates - 2

- 1. Ganita M. Perry
- 2. Connie Moore
- 3. Ebony Wright
- 4. Levonn Kidd
- 5. Joyce Lett
- 6. Shandra Brantley
- 7. LaQuasha Arnold
- 8. Cheryl Maxwell
- 9. Rebba Rhodes10. Raymond D. Wells
- 11. Arthur Storey
- 12. Kyle Parker
- 13. Lisa Harris
- 14. Patrick Wallace
- 15. Arsenio Kelly
- 16. Donald Holmes
- 17. Valiencia Parker18. Raynell Jenkins
- 19. Ciera Dale
- 20. Barbara Johnson

- 21. Dorether Marsh
- 22. Anthony Nix
- 23. Sommer Hinsch
- 24. Mildred Cummings
- 25. Terrele Campbell
- 26. Anthonette Albritton
- 27. Charles Johnson
- 28. Calvin Stallworth
- 29. Judi A. Tripp

ELECTORS FOR ZOLTAN ISTAVAN GYURDO/LISA M. MEMMEL - WRITE-IN CANDIDATES

Number of Votes for Candidates - 19

1. Rachel	Edler
-----------	-------

- 2. Aaron Edler
- 3. Chelsea Lee Gilbert
- 4. Tiffany Henderson Bateman
- 5. Chris T. Armstrong
- 6. Mary Janusz-Armstrong
- 7. Brandon Lee Porter
- 8. Brandon Kenyon Wareing
- 9. Dean Horak
- 10. Bridget Linette Stewart

- 11. Daniel F. Sullivan Jr.
- 12. Jeffrey Hickey
- 13. Naomi Taub
- 14. Jonathan Willis Cole
- 15. Wayne Keith Sisson II
- 16. Apinya VanDeRee
- 17. Neal VanDeRee
- 18. Seth Nicholson
- 19. Justin Wardell
- 20. Devin Martin

- 21. William Jack Murphy
- 22. Seth Cochran
- 23. Joshua William Conover
- 24. Michael LaCaze
- 25. Sam Statland
- 26. Alexander Van Duijn
- 27. David Scott Ishee
- 28. Cody Brocious
- 29. Logan Jeffery Mast

ELECTORS FOR LAURENCE J. KOTLIKOFF/EDWARD E. LEARNER - WRITE-IN CANDIDATES

Number of Votes for Candidates - 74

- 1. Janet Fuhrman
- 2. Donald Harold Hommeland, 12. Dayle L. Ballentine
- Jr.
- 3. Christopher Douglas
- 4. Richard Munroe
- 5. Laurence Leamer
- 6. Barton L. Lipman
- 7. Deborah Glassman
- 8. Mark Lappin
- 9. Edward O'Connor-Giles
- 10. David H. Kotlikoff

- 11. Alexander Samuel Kotlikoff
- 13. Isaac Stanford Yoder
- 14. Adam Alexander Oppenheimer
- 15. Siena Jourgensen
- 16. Robert Wingfield Burns
- 17. David Gilbert Brand
- 18. Raymond John Fisman
- 19. Owen Franks
- 20. Rick Franks

- 21. Robin Franks
- 22. Linda Marshall
- 23. Tim Smith
- 24. Sue Smith
- 25. Pat Luther
- 26. Stephen Patrick Laffey
- 27. Kelly Thorell Laffey
- 28. Samuel James Laffey
- 29. Antonio Rangel

LECTORS FOR ANTHONY "TONY" JOSEPH VALDIVIA/AARON ROY BARNERE - WRITE-IN CANDIDATES

Number of Votes for Candidates - 9

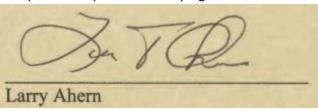
- 1. Leticia Wilton
- 2. Brent Youngblood
- 3. Amy Youngblood 4. Michael Mershon
- 5. Maria Olga Martinez
- 6. Marianna M. Webber
- 7. Mary Ellen Madalinski
- 8. Jared Strohl
- 9. Megan K. Madalinski
- 10. Elvia Villalon Chapa

- 11. Barbara J. Valdivia
- 12. Teresa C. Peterson
- 13. Arthur E. Peterson
- 14. Jo-Anne Valdivia
- 15. Kimberly Wasik
- 16. Patricio Chapa
- 17. Ruth Pickthall
- 18. Neil Pickthall
- 19. Brett Moyes
- 20. Whitney Masterson-Moyes

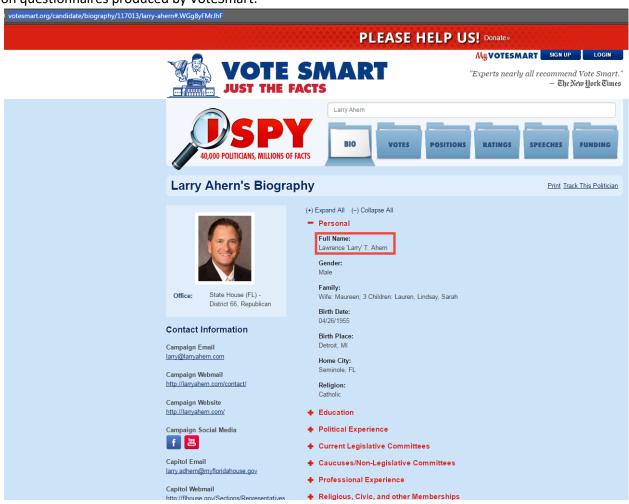
- 21. Fredrick Christopher Coley
- 22. Belinda Cavazos-Garza
- 23. Michael Keefe
- 24. Brian Joseph Harrison
- 25. Cade Benjamin Moleski
- 26. Kristyn Jean
- 27. Dwan Davey
- 28. John Whitaker
- 29. Patrick J. Webber

Florida elector Larry Ahern is a State Representative.

"Larry T" Ahern per Florida tally signature



Middle initial T corroborated at VoteSmart, a site that publishes info supplied by the candidates' own campaigns, on questionnaires produced by VoteSmart:



http://votesmart.org/candidate/biography/117013/larry-ahern#.WGg8yFMrJhF

Handwriting of "Larry" on tally is a reasonable match to his own website: larryahern.com







MEET LARRY





BUILDING A BETTER FLORIDA

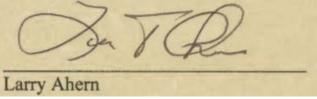
Thank you for the opportunity to serve in the Florida House of Representatives. Having raised a family and run a business in this community, I am honored by the privilege to represent you and to advocate for our views and values in Tallahassee.

It is the people who create our jobs, teach our children and protect our communities and nation. That's why my focus in the Legislature is to keep government limited and the tax burden low. You deserve a government that is accountable and spends your tax dollars in the most effective and efficient way possible.

Your thoughts and opinions are very important to me. Please feel free to reach me through the Contact page. From this site you also can subscribe to our electronic updates, join our campaign as a volunteer or make a donation to our re-election effort. I look forward to hearing from you.











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Commissioner Bo Rivard

The Commission

The Commissioners

Brian Yablonski

Aliese P. "Liesa" Priddy

Ron Bergeron

Richard Hanas

Bo Rivard

Charles W. Roberts III

Robert A. Spottswood

Meeting Protocol

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Bo Rivard of Panama City was appointed to the Commission on March 8, 2013 by Gov. Rick Scott.

Rivard has been a partner with Harrison Rivard Duncan & Buzzett since 2002 and is the past-president of the Bay County Chamber of Commerce. He has a bachelor's degree from the University of Florida and a law degree from Samford University.

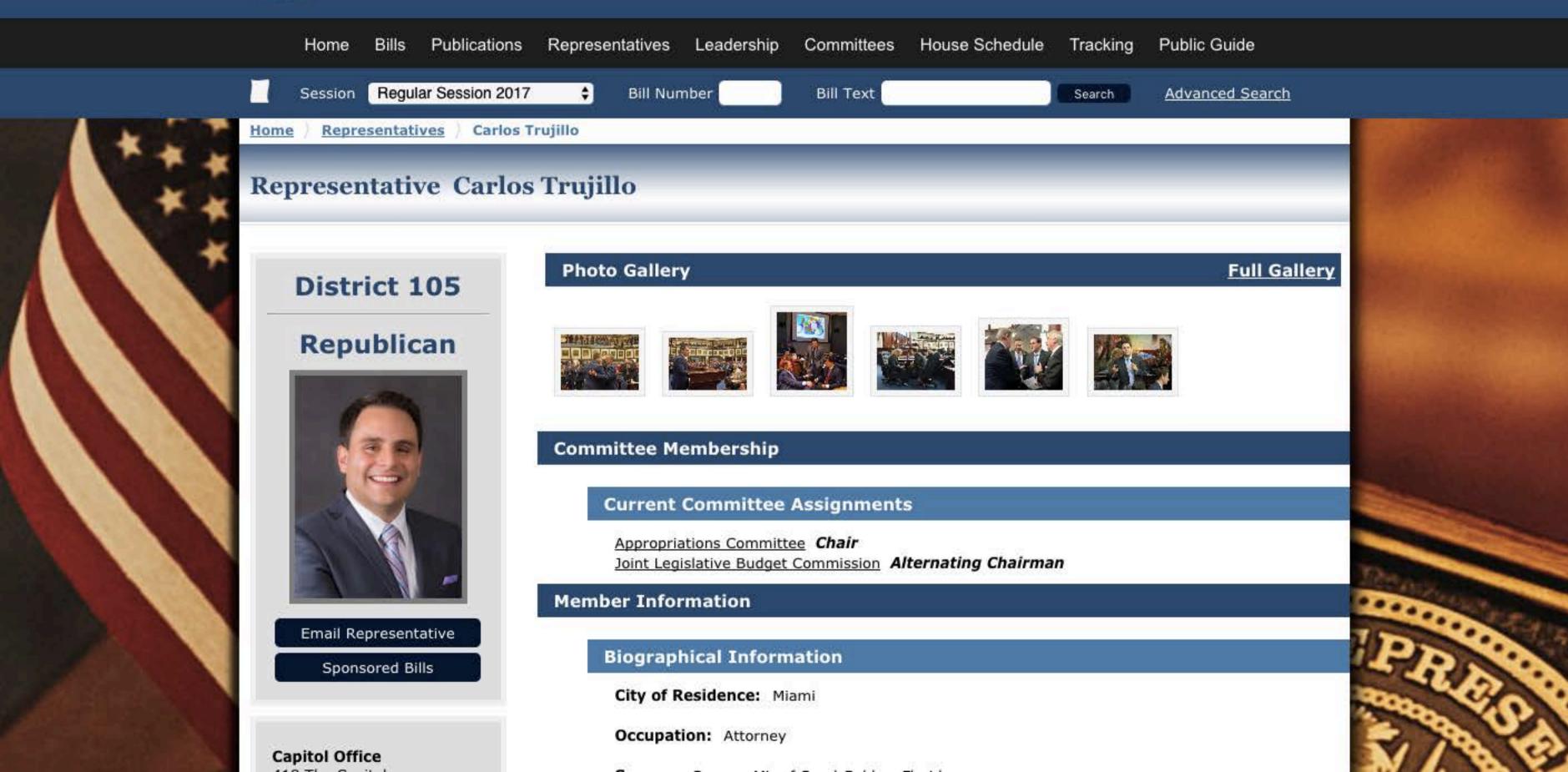
Commissioner Rivard's term expires Aug. 1, 2017.

Contact

Email Commissioner Rivard



FWC Facts:





Board of County Commissioners

"Proudly serving the citizens of Jackson County, Florida."

District 2





Clint Pate

Commissioner - District 2 E-mail: cpate@jacksoncountyfl.com

Current Term

2014-2018



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County Road Closures

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Commission Meetings

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Florida 73rd District State House Results: Joe Gruters Wins

BY THE NEW YORK TIMES DEC. 13, 2016, 11:39 AM ET

CANDIDATE	PARTY	VOTES	PCT.
✓ Joe Gruters	Republican	68,252	65.1%
James Golden	Democrat	36,631	34.9

100% reporting (37 of 37 precincts)

Joe Gruters won the 73rd District State House race in Florida on Tuesday. Joe Gruters is up by 30 points with all precincts reporting.

Below are detailed results for the race. View other Florida election results on our <u>full Florida results page</u>.

Vote by county	Gruters	Golden
Manatee	58,376	31,806
Sarasota	9,876	4,825

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Joe Negron PRESIDENT

Contact:

Email this Office

Location:

409, The Capitol

Office Mailing Address: 404 S. Monroe Street

Tallahassee, FL 32399-1100

Office of Senate President

The Senate President is a constitutional officer who leads the Florida Senate for a two-year term. The President, who is elected by members of the Senate, manages the operations of the Senate and presides over its sessions. The President's many duties include: selecting a Majority Leader, appointing Senators to standing Senate committees, appointing committee chairs, and appointing citizens to a variety of boards and commissions.



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TBA

John Browning, Jr., East Palatka



President of Browning Packing and Browning Consulting. Browning previously served on the Florida Transportation Commission from 1987-2001. Appointed in June, 2013. Term ends September 20, 2019.

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Languages



Larry Ahern (politician)

From Wikipedia, the free encyclopedia

Larry Ahern (born April 26, 1955) is a Republican member of the Florida House of Representatives, representing the 66th District, which includes northwestern Pinellas County, stetching from Clearwater to Seminole, since 2012, previously representing the 51st District from 2010 to 2012.

Contents [hide]

- 1 History
- 2 Florida House of Representatives
- 3 References
- 4 External links

History [edit]

Ahern was born in Detroit, Michigan, and served in the United States Air Force from 1973 to 1977, including a tour at the Iraklion Air Station from 1975 to 1977. He then moved to the state of Florida in 1978, where he started a swimming pool remodeling business.

Florida House of Representatives [edit]

In 2010, Ahern ran for the Florida House of Representatives from the 51st District, which included parts of Pinellas County, against incumbent Democratic State Representative Janet Long. A contentious election ensued, in which Ahern campaigned on "conservatism and a business-friendly attitude," and in which Long aired a controversial television advertisement "in which her son, a war hero, characterized Ahern as a coward."[1] Ultimately, Ahern defeated Long and Tea Party candidate Victoria Torres, receiving 50% of the vote to Long's 44% and Torres's 6%.

When Florida House districts were redrawn in 2012, Ahern was redistricted into the 66th District, which included most of the territory that he had previously represented in the 51st District. He was opposed by Mary Louise Ambrose, the Democratic nominee and the owner of an insurance agency. Ambrose was endorsed by the Tampa Bay Times, which criticized Ahern for voting "in lockstep with leadership and special interests to the detriment of his constituents."[2] However, Ahern was re-elected over Ambrose with 53% of the vote.

While serving in the legislature, Ahern sponsored legislation that would "make the death of an 'unborn child' a separate crime from an offense committed against the mother," which Democrats opposed because "[a] person would not have to know a woman is pregnant to be charged with a crime."[3] Additionally, he authored legislation that would make prosecuting identity theft easier by eliminating a legal requirement that the stolen

Larry Ahern



Member of the Florida House of Representatives from the 66th district

Incumbent

Assumed office November 20, 2012

Preceded by Ben Albritton

Member of the Florida House of Representatives from the 51st district

In office

November 16, 2010 - November 20, 2012

Preceded by Janet Long

Succeeded by Steve Crisafulli

Personal details

Born April 26, 1955 (age 61) Detroit, Michigan

Go to Bill: Bill #

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District Office 2310 First Street Unit 305 Fort Myers, FL 33901 (239) 338-2570

Senator Lizbeth Benacquisto

Party: Republican

Committee Assignments

- · Rules, Chair
- Judiciary, Vice Chair
- Appropriations
- · Appropriations Subcommittee on Transportation, Tourism, and Economic Development
- Regulated Industries
- · Credentials Committee, Chair
- · Joint Legislative Budget Commission









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AG Bondi and FDLE Announce "If You See Something, Say Something" Partnership

Attorney General Pam Bondi today announced that she is partnering with the Florida Department of Law Enforcement to educate students on the "If You See Something, Say Something™" campaign.



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Historic Deepwater Horizon Oil Spill Lawsuit

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STATE OF GEORGIA COUNTY OF FULTON

CERTIFICATE OF THE VOTE OF THE 2016 ELECTORS FROM GEORGIA

We, the undersigned, being the duly elected and qualified Electors of President and Vice President of the United States of America from the State of Georgia, and hereinafter referred to in this Certificate as the 2016 Electors from the State of Georgia do hereby certify the following:

- (A) That the undersigned 2016 Electors from the State of Georgia convened and organized at the State Capitol, in the City of Atlanta, County of Fulton, Georgia, at 12:00 noon on the 19th day of December 2016, to perform the duties enjoined upon them.
- (B) That Frank Strickland presided and Kirk Shook served as Secretary for the meeting.
- (C) That the undersigned 2016 Electors from the State of Georgia cast each of their respective ballots for President of the United States of America, as follows:

FOR DONALD J. TRUMP - 16 VOTES

BRUCE AZEVEDO

BRIAN BURDETTE

LOTT DILL

JOHN ELLIOTT

JAMES EVANS

BOBBIE FRANTZ

LINDA HERREN

RACHEL LITTLE

DEBORAH MCCORD

MICHAEL MCNEELY

KIRK SHOOK

JOHN PADGETT

MARY PADGETT

NEIL PRUITT FRANK STRICKLAND JOHN WHITE

(D) That the undersigned 2016 Electors from the State of Georgia cast each of their respective ballots for Vice President of the United States of America, as follows:

FOR MIKE PENCE - 16 VOTES

BRUCE AZEVEDO

BRIAN BURDETTE

LOTT DILL

JOHN ELLIOTT

JAMES EVANS

BOBBIE FRANTZ

LINDA HERREN

RACHEL LITTLE

DEBORAH MCCORD

MICHAEL MCNEELY

KIRK SHOOK

JOHN PADGETT

MARY PADGETT

NEIL PRUITT

FRANK STRICKLAND

JOHN WHITE

Witness the hands and seals of the undersigned as the duly elected and qualified Electors of the President and Vice President of the United States of America from the State of Georgia, this 19th day of December, 2016.

BRUCE AZEVEDO (SEAL)	Deborah McCord	(SEAL)
BRIAN BURDETTE (SEAL)	MICHAEL MONEELY	_(SEAL)
LOTT DILL (SEAL)	JOHN PADGETT	_(SEAL)
JOHN ELLIOTT	Mary Padgett MARY PADGETT	_(SEAL)
JAMES EVANS JAMES EVANS	NEIL PRUITT	_(SEAL)
Bellie D. Franty (SEAL) BOBBIE FRANTZ	KIRK SHOOK	_(SEAL)
LINDA HERREN	FRANK STRICKLAND	_(SEAL)
RACHEL LITTLE (SEAL)	JOHN WHITE	_(SEAL)

December 19, 2016

VIA HAND DELIVERY

The Honorable Nathan Deal Governor State of Georgia

Dear Governor Deal:

In accordance with O.C.G.A. § 21-2-12, I hereby give you notice of the following:

- 1. On December 19, 2016, fifteen of the sixteen elected Georgia Presidential Electors assembled in accordance with O.C.G.A. § 21-2-11;
- 2. One Elector, Baoky Vu, did not appear at the time appointed by law;
- 3. The Electors present then proceeded to fill that vacancy;
- 4. The Electors elected by unanimous voice vote, John Padgett, a person of the same political party as the absent Elector; and
- 5. As the Presiding Officer of the Georgia Electoral College, I am immediately transmitting John Padgett's name to you and ask that you notify him in writing of his election as a Presidential Elector to fill the vacant Elector position and of his duty to perform, along with the other Electors, the duties required of them by the Constitution and laws of the United States.

This 19th day of December, 2016.

Frank B. Strickland Presiding Officer

2016 Georgia Electoral College Meeting

Attest:

Kirk Shook

Secretary

2016 Georgia Electoral College Meeting



ATLANTA 30334-0090

Nathan Deal GOVERNOR

December 19, 2016

I, Nathan Deal, Governor of the State of Georgia, in accordance with O.C.G.A. § 21-2-12, hereby give notice of the following to John Padgett:

- 1. On December 19, 2016, fifteen of the sixteen elected Georgia Presidential Electors assembled in accordance with O.C.G.A. § 21-2-11;
- 2. One Elector, Baoky Vu, did not appear at the time appointed by law;
- 3. The Electors present then proceeded to fill the vacancy;
- 4. The Electors elected by unanimous voice vote, John Padgett, a person of the same political party as the absent Elector;
- 5. Immediately following that vote of the Electors, Frank Strickland, the Presiding Officer of the Georgia Electoral College, transmitted John Padgett's name to me;
- 6. By this Certificate, I am hereby notifying John Padgett of his election to fill the vacant Elector position; and
- 7. I further notify John Padgett that he has been elected a Presidential Elector, and shall, with the other Electors, perform the duties required of them by the Constitution and laws of the United States.
- 8. That this certification was delivered by me by hand to John L. Padgett immediately upon my execution of the same.

Witness my hand and the seal of my office This 19th day of December, 2016

GOVERNOR



Richard Woods, Georgia's School Superintendent

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Brian K. Burdette

Tenth Congressional District



Mr. Burdette is a native of York, Pennsylvania. He is a graduate of Pennsylvania State University where he earned a Bachelor of Technology Degree for Mechanical Engineering in 1984. Upon graduation he received the Eric A. and Josephine S. Walker Award from Penn. State University in recognition of Character, Scholarship, Leadership, and Citizenship. Burdette is the owner and CEO of Glasstech Services Inc. and Blueprint

Conversion Technology LLP. He is also a founding partner in GMTEC, a software development company catering to the commercial glass and glazing business.

In 2002 Mr. Burdette was appointed by Governor Perdue to the Georgia Rural Development Council and served as Chairman of the Rural Healthcare Committee. In 2006 he was appointed by Governor Perdue to the Georgia Board for Physician Workforce.

Contact District Member

Brian K. Burdette

Tenth Congressional District

Phone: (404) 657-7410 Fax: (404) 657-6978

Email: bburdette@doe.k12.ga.us

Term Expires: 2014

Judicial Nominating Commission

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Mary Paige Adams, Esq.

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Hon. Christopher M. Carr



MICHAEL MCNEELY

Atlanta Georgia

Michael McNeely is a Georgia native and grew up in Wrens, GA. He graduated from Georgia Southern University with a degree in Criminal Justice.

Michael's life has been focused on service to God and country. He first learned this principle in his church; it was reinforced when he became an Eagle Scout, served in the Georgia Army National Guard, and as a police officer in metro Atlanta. Michael is currently a Deputy Commissioner with the Georgia Department of Juvenile Justice.

Michael has been active in the Republican Party for several years and first volunteered on the reelection campaign of then Governor Perdue.

Michael has been the Third and First Vice
Chairman of the Douglas County GOP, the Georgia
Young Republican's Political Director, and Chairman
of the Georgia Black Republican Council. In 2010,
he graduated from the Republican National
Committee's Campaign Victory School, its
Campaign Management College, and Republican
Leadership For Georgia.

Michael has made television and radio

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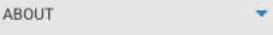
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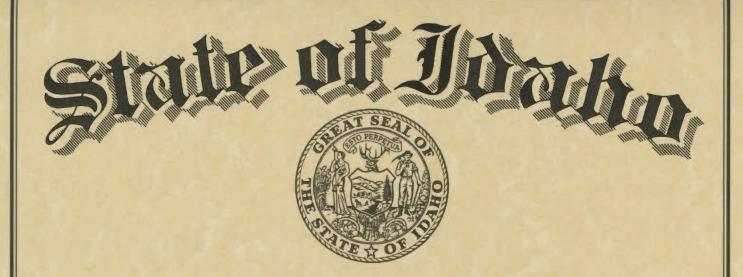
Neil L. Pruitt, Jr.

Neil L. Pruitt, Jr. is Chairman and CEO of PruittHealth, Inc., an integrated health care company offering independent and assisted living, skilled nursing services, rehabilitation services, home health and hospice care as well as pharmacy services, community-based services, medical supplies and care management. Pruitt served as Chair of the Board of Governors of the American Health Care Association and Chair of the Georgia Health Care Association. As shown by his February 2013, Congressional appointment to the Commission for Long Term Care-a 15-member panel charged with developing plans for a comprehensive, coordinated and high-quality system ensuring long-term care for older adults and people with disabilities, Pruitt has become a recognized leader in the health care profession. Pruitt served as Chair of the Board of Trustees of the University System of Georgia Foundation, Inc. and currently serves as a Board Member for the Georgia Regents Health System. He received a Bachelor of Arts degree in economics from the University of the South in Tennessee and was awarded a Master of Business Administration and a Master of Health Administration from Georgia State University. He is an active member of the Peachtree Presbyterian Church in Atlanta. He and his wife, Mebane, have three children.

Correspondence Address

PruittHealth 1626 Jergens Court Norcross, GA 30093 District: Eleventh

Term: 1/1/13 - 1/1/17 Tel.: (770) 806-6893



CERTIFICATE OF VOTE

We, the undersigned, Electors of President and Vice President, of the United States of America, for the respective terms beginning on the Twentieth day of January, A.D., 2017, being Electors duly and legally appointed and qualified by and for the State of Idaho as appears by the annexed certificate made and delivered to us by the executive of the said State, having met agreeably to the provisions of law, at Boise in said State of Idaho, on the first Monday after the second Wednesday in December of the year of 2016, being the Nineteenth day of said month,

DO HEREBY CERTIFY, That being so assembled and duly organized, we proceeded to vote by ballot, and balloted first for President and then for Vice President by distinct ballots; and,

WE FURTHER CERTIFY, That the following are two distinct lists, one of the votes for President; and, the other of the votes for Vice President; so cast as aforesaid:

List of All Persons Voted For As President

Donald J. Trump

List of All Persons Voted For As Vice President

Michael R. Pence

Number of Votes for each

4

Number of Votes for each

4

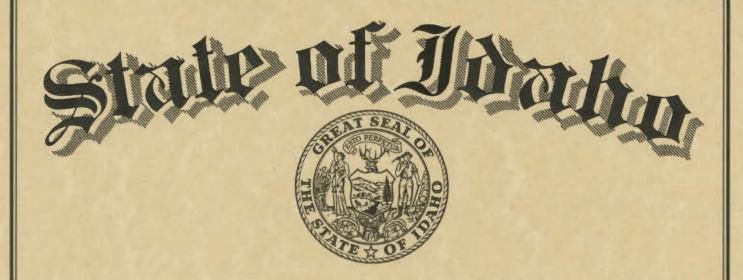
Witness our hands, on the first Monday after the second Wednesday of December, A.D., 2016, being the Nineteenth day of said month.

ROD BECK

CALEB LAKEY

JENNIFER LOCKE

C.A. "SKIP" SMYSER



CERTIFICATE OF APPOINTMENT

OF AN

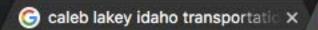
ELECTOR OF PRESIDENT AND VICE-PRESIDENT

We the undersigned, Presidential Electors for the State of Idaho, pursuant to Section 34-1506, Idaho Code, do hereby certify that Rod Beck, of Boise, Idaho, and C.A. "Skip" Smyser, of Parma, Idaho, have been duly elected as Presidential Electors of the State of Idaho pursuant to Section 34-1504, Idaho Code, to replace Layne Bangerter and Melinda Smyser, and said Rod Beck and C.A. "Skip" Smyser are entitled to all rights, duties, and privileges pertaining thereto.

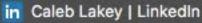
Witness our hands, on the first Monday after the second Wednesday of December, A.D., 2016, being the Nineteenth day of said month.

CALEBLAKEY

IENNIFER LOCKE















https://www.linkedin.com/in/caleb-lakey-75084239



Caleb Lakey

connections

Engineer Manager

Boise, Idaho Area Civil Engineering

Idaho Transportation Department Current

Previous Idaho Transportation Department, US Army

(Captain)

Education US Military Academy, West Point, NY

View Caleb's full profile. It's free!

Your colleagues, classmates, and 400 million other professionals are on LinkedIn.

View Caleb's Full Profile

Experience

Transportation Systems Manager

Idaho Transportation Department

August 2016 - Present (5 months)



I manage three sections (asset management, operations technology support and traffic) that focus on aiding in the engineering decision process through data collection, analysis and technical support. These sections directly support the mission of the Department to provide a safe and reliable transportation system through informed, data assisted decisions.

of the STATE of IDAHO 2016



A compilation of the Primary and General Election laws with amendments through the 2016 Legislative Session

Compiled under the authority of the Secretary of State Boise, Idaho

Table of Contents

2016 Election Calendar12017 Election Calendar7Counties of Idaho16Congressional District Map17
Judicial District Map
Title 34 Elections
Chapter 1 Definitions
2 Duties of Officers
3 Election Precincts and Judges
4 Voters - Privileges - Qualifications and Registration
5 Political Parties - Organization
6 Time of Elections - Officers Elected
7 Nominations - Conventions - Primary Elections
9 Ballots
10 Absentee Voting
11 Conduct of Elections
12 Canvass of Votes82
14 Uniform District Election Law
15 Presidential Electors
17 Recall Elections
18 Initiative and Referendum Elections
19 Congressional Districts
20 Election Contests Other Than Legislative and State Executive Offices . 113
21 Election Contests — Legislative and State Executive Offices
22 Constitutional Convention
23 Recount of Ballots
24 Voting by Machine or Vote Tally System
Title 1 Courts and Court Officials
Chapter 22 Magistrate Division of the District Court
24 Court of Appeals
Title 18
3 Section 310 - Crimes and Punishment
23 Elections
INDEX 163

2016 IDAHO PRIMARY and GENERAL ELECTION CALENDAR

This edition of the 2016 Election Calendar has been updated due to amendatory change during the 2016 session of the Idaho Legislature. Updates are bolded. Last updated July 2016.

July 11	Last day to supply wording and resolution to the County Clerk for a bond or levy election by a school district or a recall election by any political subdivision which is ordered for the August 30 election. (Sec. 34-106, Idaho Code)
July 15	Last day for the County Clerk to submit a request to the Secretary of State for a modification of election procedures for political subdivisions for the August 30 election. (Sec. 34-1413, Idaho Code)
July 15	Last day for the County Clerk to examine election register and note challenges from the Primary Election (May 17). (Sec. 34-432, Idaho Code)
July 21	Last day for the Secretary of State to approve requested modification of election procedures for political subdivisions for the August 30 election. (Sec. 34-1413, Idaho Code)
July 27 - August 3	County Clerk publishes the notice of candidate filing for the Single Countywide Highway District candidates for the November 8 election during this week in the official newspaper(s) of the political subdivision. (Sec. 34-1405, Idaho Code)
July 29	Last day for County Commissioners to designate polling places prior to the August 30 election. (Sec. 34-302, Idaho Code)
July 29	County Clerk to appoint election personnel for the August 30 election.
July 29	County Clerk to mail absentee ballots for the August 30 election to voters who requested absentee ballots.
August 5	Last day to pre-register to vote with the County Clerk until 5:00 p.m. for the August 30 election. Registration closes in those districts holding an August 30 election. Election Day Registration is available. (Sec. 34-408, Idaho Code)
August 6-16	County Clerk to mail ballots for the August 30 election to voters in designated Mail Ballot Precincts. (Sec. 34-308, Idaho Code)
August 10	Last day for Magistrates up for retention to file declarations of candidacy with the County Clerk for the General Election (November 8). (Sec. 1-2220, Idaho Code)
August 10	Last day for Highway District Commissioners in a single countywide district to file declarations of candidacy with the County Clerk for the General Election (November 8). (Sec. 34-625 and 34-625A, Idaho Code)

August 15	Last day to begin Early Voting at the Early Voting polling place for the August 30 election for those counties who elect to conduct Early Voting. (Sec. 34-1012, Idaho Code)
August 18	First notice of election is published for the August 30 election by the County Clerk in the official newspaper(s) of the county. (Sec. 34-602 and 34-1406, Idaho Code)
August 18	Last day for the County Clerk to receive written requests for the purpose of authorizing persons to act as challengers at the polling place for the August 30 election. (Sec. 34-304, Idaho Code)
August 18 - 25	COUNTY CLERK publishes the notice of candidate filing deadline for political subdivision candidates for the November 8 election during this week in the official newspaper(s) of the political subdivision. (Sec. 34-1405, Idaho Code)
August 19	Last day for an application for a mail-in absentee ballot to be received by the County Clerk not later than 5:00 p.m. for the August 30 election. (Sec. 34-1002, Idaho Code)
August 25	Second notice of election for the August 30 election is published by the County Clerk in the official newspaper(s) of the county. Facsimile sample ballot published at this time. Published in at least two newspapers within the county, if possible. (Sec. 34-602, 34-1406 and 34-2425, Idaho Code and Secretary of State Directive)
August 25	Last day for independent candidates for President and Vice-President to file nomination petitions with the Secretary of State for the General Election (November 8). (Sec. 34-708A, Idaho Code)
August 26	Last day for in-person absentee voting until 5:00 p.m. for the August 30 election at the absent elector's polling place. (Sec. 34-1002, Idaho Code)
August 26	Last day for Early Voting until 5:00 p.m. for the August 30 election at the Early Voting polling place. (Sec. 34-1012, Idaho Code)
August 30	Last day to return absentee ballots to the County Clerk's Elections Office by 8:00 p.m. for the August 30 election. (Sec. 34-1005, Idaho Code)
August 30	Election 8:00 a.m. to 8:00 p.m. (*) At Clerk's option, polling places may be opened at 7:00 a.m. (Sec. 34-106 and 34-1101, Idaho Code)
August 30	County Clerk's office to remain open 8:00 a.m. to 8:00 p.m., if county is holding an election. (Sec. 34-211, Idaho Code)
August 30	Last day for new political party formation petitions to be filed with the Secretary of State. (Sec. 34-501, Idaho Code)

August 31	Registration reopens. (Sec. 34-408, Idaho Code)
September 1	Last day for state party chairman to certify candidates for President, Vice-President and Presidential Electors for the General Election (November 8). (Five day extension may be granted by the Secretary of State.) (Sec. 34-711, Idaho Code)
September 1	Last day for filing declarations of candidacy until 5:00 p.m. for candidates for the November 8 election with the clerk of the political subdivision. This filing is for political subdivision candidates. (Sec. 34-1404, Idaho Code)
September 1	Last day for independent candidates for President to certify Presidential Electors. (Sec. 34-711A, Idaho Code.
September 7	Last day for Secretary of State to forward General Election (November 8) sample ballots to the County Clerks. (Sec. 34-909, Idaho Code)
September 7	Last day for the Secretary of State to certify constitutional amendments to the County Clerks for the General Election (November 8). (Sec. 34-603, Idaho Code)
September 7	Last day a partisan candidate may withdraw before the General Election (November 8). (Sec. 34-717, Idaho Code)
September 8	Last day for the clerk of the political subdivision to certify the nominees to be placed on the ballot of the political subdivision for the November 8 election. (Sec. 34-1404, Idaho Code)
September 9	Last day for the Board of County Commissioners to meet and canvass the vote for the August 30 election. (Sec. 34-1410, Idaho Code)
September 9	County Clerk to certify election results to the political subdivisions for the August 30 election. This date depends upon the date the County Board of Canvassers meets. The results should be certified to the political subdivision(s) immediately after the county canvassers meet. (Sec. 34-1410, Idaho Code)
September 9	Last day for a political subdivision to supply wording and resolution to the County Clerk for a bond, levy, initiative, referendum, recall or any other ballot question ordered for the November 8 election. (Sec. 34-106, Idaho Code)
September 19	Last day for County Clerk to print absentee ballots for the General Election (November 8). (Secretary of State Directive)
September 23	Last day declaration of intent to be filed by a write-in candidate with the clerk of the political subdivision for the November 8 election. This filing is for political subdivision candidates. (Sec. 34-1407, Idaho Code)

September 23	Last day a candidate of a political subdivision may withdraw before the November 8 election. (Sec. 34-1405A, Idaho Code)
September 23	Last day for political parties to supply the name of its county chairman or alternate to the County Clerk in order to have witnesses accompany the County Clerk or Deputy Clerk in the delivery of absentee ballots for the General Election (November 8). (Sec. 34-1003, Idaho Code)
September 23	Last day for the County Clerk to mail absentee ballots for the General Election (November 8) to voters who requested absentee ballots prior to the 45th day before the election. (Sec. 34-1003, Idaho Code and Secretary of State Directive)
September 29	Last day for a supporter or opponent of a ballot measure which appeared on the August 30 election to request a recount with the County Clerk. This date is dependent upon when the County canvasses the election results – 20 days from canvass. (Sec. 34-2301, Idaho Code)
September 29	Last day for an elector to contest the August 30 election by filing in the proper court. This date is dependent upon when the County canvasses the election results – 20 days from canvass. (Sec. 34-2008, Idaho Code)
October 7	Last day for County Commissioners to designate polling places prior to the November 8 election. (Sec. 34-302, Idaho Code)
October 7	County Clerk to appoint election personnel for the November 8 election.
October 11	Last day declaration of intent to be filed by write-in candidates for the General Election (November 8) with the Secretary of State or County Clerk. This filing is for federal, state, legislative, or county candidates. (Sec. 34-702A, Idaho Code)
October 14	Last day to pre-register to vote with the County Clerk until 5:00 p.m. for the General Election (November 8). Election Day Registration is available. (Sec. 34-408, Idaho Code)
October 15-25	County Clerk to mail ballots for the November 8 election to voters in designated Mail Ballot Precincts. (Sec. 34-308, Idaho Code)
October 24	Last day to begin Early Voting at the Early Voting polling place for the General Election (November 8) for those counties who elect to conduct Early Voting. (Sec. 34-1012, Idaho Code)
October 27	First notice of General Election (November 8) is published by the County Clerk in the official newspaper(s) of the county. Published in at least two newspapers within the county, if possible. (Sec. 34-602 and 34-1406, Idaho Code)
October 27	Last day for the County Clerk to receive written requests for the purpose of authorizing persons to act as watchers and challengers at the polling

place for the General Election (November 8). (Sec. 34-304, Idaho Code)

October 28 Last day for an application for a mail-in absentee ballot to be received by the County Clerk not later than 5:00 p.m. for the General Election (November 8). (Sec. 34-1002, Idaho Code)

October 28

November 3

November 8

November 18

Last day for the County Clerk to examine election register and note challenges from the August 30 election. (Sec. 34-432, Idaho Code)

October 28 Last day for the Secretary of State to certify vacancy candidates for the General Election (November 8), who have been appointed by the central committees, to the County Clerks. (Sec. 34-909, Idaho Code)

Second notice of General Election (November 8) is published by the County Clerk in the official newspaper(s) of the county. Facsimile sample ballot published at this time. Published in at least two newspapers within the county, if possible. (Sec. 34-602, 34-1406 and 34-2425, Idaho Code and Secretary of State Directive)

November 4 Last day for in-person absentee voting until 5:00 p.m. for the General Election (November 8) at the absent elector's polling place. (Sec. 34-1002, Idaho Code)

November 4 Last day for Early Voting until 5:00 p.m. for the General Election (November 8) at the Early Voting polling place. (Sec. 34-1012, Idaho Code)

Last day to return absentee ballots to the County Clerk's Elections Office by 8:00 p.m. for the General Election (November 8). (Sec. 34-1005, Idaho Code)

November 8 General Election -- 8:00 a.m. to 8:00 p.m. (*) At Clerk's option, polling places may be opened at 7:00 a.m. (Sec. 34-101 and 34-1101, Idaho Code)

November 8 County Clerk's office to remain open 8:00 a.m. to 8:00 p.m. (Sec. 34-211, Idaho Code)

November 9 Registration reopens. (Sec. 34-408, Idaho Code)

November 18 Last day for the Board of County Canvassers to meet and canvass the vote for the General Election (November 8). (This includes the canvass of election results for the political subdivisions for the November 8 election.) (Sec. 34-1205 and 34-1410, Idaho Code)

County Clerk to certify election results to the political subdivisions for the November 8 election. This date depends upon the date the County Board of Canvassers meets. The results should be certified to the political subdivision immediately after the County Canvassers meet. (Sec. 34-1410, Idaho Code)

November 21	County Clerk issues certificates of election for the General Election (November 8). (Sec. 34-1209, Idaho Code)
November 21	Clerk of the political subdivision issues certificates of election for the November 8 election. (Sec. 34-1410, Idaho Code)
November 23	Last day for State Board of Canvassers to meet to canvass the General Election (November 8). (Sec. 34-1211, Idaho Code)
November 25	Secretary of State issues certificates of election for the General Election (November 8). (Sec. 34-1215, Idaho Code)
December 8	Last day for a county or political subdivision candidate or a supporter or opponent of a county or political subdivision ballot measure which appeared on the November 8 election to request a recount with the County Clerk. This date is dependent upon when the County canvasses the election results – 20 days from canvass. (Sec. 34-2301, Idaho Code)
December 8	Last day for an elector to contest the November 8 election by filing in the proper court. This date is dependent upon when the County canvasses the election results – 20 days from canvass. (Sec. 34-2008, Idaho Code)
December 13	Last day for a Federal, State, Legislative or Judicial candidate or a supporter or opponent of a statewide ballot measure which appeared on the November 8 election to request a recount with the Attorney General. This date is dependent upon when the State Board of Canvassers meet – 20 days from canvass. (Sec. 34-2301, Idaho Code)
December 13	Last day for an elector to contest the election of a Federal, State, Legislative or Judicial office or a statewide ballot measure which appeared on the November 8 election by filing in the proper court. This date is dependent upon when the State Board of Canvassers meet – 20 days from canvass. (Sec. 34-2008, Idaho Code)
December 19	Presidential Electors meet and cast votes. (3 United States Code 7 and Sec. 34-1503, Idaho Code)
January 6, 2017	Last day for the County Clerk to examine election register and note challenges from the General Election (November 8). (Sec. 34-432, Idaho Code)
January 20, 2017	Last day for County Clerk to submit report to the Secretary of State on absentee voters for the General Election (November 8) as required by federal law. (Sec. 34-1002, Idaho Code)
March 8, 2017	Last day for County Clerk to cancel registration of those electors who have not voted in any election in the last four (4) years. (Sec. 34-435, Idaho Code)

2017 ELECTION CONSOLIDATION CALENDAR

This edition of the 2017 Election Calendar may be updated due to changes made during the 2017 session of the Idaho Legislature. Last updated July 2016.

December 2016	County Clerk publishes the election calendar for 2017. (Sec. 34-1405, Idaho Code)
January 23	Last day to certify the wording to the County Clerk for a bond or levy election by a school district or a recall election by any political subdivision which is ordered for the March 14 election. (Sec. 34-106, Idaho Code)
January 27	Last day for the County Clerk to submit a request to the Secretary of State for a modification of election procedures for joint districts for the March 14 election. (Sec. 34-1413, Idaho Code)
February 2	Last day for the Secretary of State to approve requested modification of election procedures for joint districts for the March 14 election. (Sec. 34-1413, Idaho Code)
February 10	County Clerk to appoint election personnel for the March 14 election.
February 10	County Clerk to mail absentee ballots for the March 14 election to voters who requested absentee ballots.
February 12 (Sunday)	Last day for County Commissioners to designate polling places prior to March 14 election. (Sec. 34-302, Idaho Code)
February 17	Last day to pre-register to vote with the County Clerk until 5:00 p.m. for the March 14 election. Registration closes in those districts holding a March 14 election. Election Day Registration is available. (Sec. 34-408, Idaho Code)
February 18-28 (Saturday-Tuesday)	County Clerk to mail ballots for the March 14 election to voters in designated Mail Ballot Precincts. (Sec. 34-308, Idaho Code)
February 27	Last day to begin Early Voting at the Early Voting Polling Place for the March 14 election for those counties who elect to conduct Early Voting. (Sec. 34-1012, Idaho Code)
March 2	First notice of election is published for the March 14 election by the County Clerk in the official newspaper(s) of the county. (Sec. 34-602 and 34-1406, Idaho Code)
March 2	Last day for the County Clerk to receive written requests for the purpose of authorizing persons to act as challengers at the polling place for the March 14 election. (Sec. 34-304, Idaho Code)

2017 Election Consolidation Calendar - Continued

March 3	Last day for an application for a mail-in absentee ballot to be received by the County Clerk not later than 5:00 p.m. for the March 14 election. (Sec. 34-1002, Idaho Code)
March 3-10	County Clerk publishes the notice of candidate filing deadline for the May 16 election during this week in the official newspaper(s) of the political subdivision. (Sec. 34-1405, Idaho Code)
March 9	Second notice of election for the March 14 election is published by the County Clerk in the official newspaper(s) of the county. Facsimile sample ballot published at this time. Published in at least two newspapers within the county, if possible. (Sec. 34-602, 34-1406, and 34-2425, Idaho Code and Secretary of State Directive)
March 10	Last day for in-person absentee voting until 5:00 p.m. for the March 14 election at the absent elector's polling place. (Sec. 34-1002, Idaho Code)
March 10	Last day for Early Voting until 5:00 p.m. for the March 14 election at the Early Voting polling place. (Sec. 34-1012, Idaho Code)
March 14	Last day to return absentee ballots to the County Clerk's Elections Office by 8:00 p.m. for the March 14 election. (Sec. 34-1005, Idaho Code)
March 14	Election 8:00 a.m. to 8:00 p.m. (*) At Clerk's option, polling places may be opened at 7:00 a.m. (Sec. 34-106 and 34-1101, Idaho Code)
March 14	County Clerk's office to remain open 8:00 a.m. to 8:00 p.m., if the county is holding an election. (Sec. 34-211, Idaho Code)
March 15	Registration reopens. (Sec. 34-408, Idaho Code)
March 17	Last day for filing declarations of candidacy until 5:00 p.m. for candidates for the May 16 election with the clerk of the political subdivision. This filing is for political subdivision candidates. (Sec. 34-1404, Idaho Code)
March 24	Last day for the Board of County Commissioners to meet and canvass the vote for the March 14 election. (Sec. 34-1410, Idaho Code)
March 24	County Clerk to certify election results to the political subdivisions for the March 14 election. This date depends upon the date the County Board of Canvassers meets. The results should be certified to the political subdivision(s) immediately after the County Canvassers meet. (Sec. 34-1410, Idaho Code)
March 24	Last day for the clerk of the political subdivision to certify the nominees to be placed on the ballot of the political subdivision for the May 16 election. (Sec. 34-1404, Idaho Code)

2017 Election Consolidation Calendar - Continued

March 27	Last day for a political subdivision to certify the wording to the County Clerk for a bond, levy, initiative, referendum, recall or any other ballot question ordered for the May 16 election. (Sec. 34-106, Idaho Code)
March 31	Last day for the County Clerk to submit a request to the Secretary of State for a modification of election procedures for joint districts for the May 16 election. (Sec. 34-1413, Idaho Code)
April 1 (Saturday)	Last day declaration of intent to be filed by a write-in candidate with the clerk of the district for the May 16 election. This filing is for political subdivision candidates. (Sec. 34-1407, Idaho Code)
April 1 (Saturday)	Last day a candidate for the May 16 election to withdraw before the May 16 election. (Sec. 34-1405A, Idaho Code)
April 6	Last day for the Secretary of State to approve requested modification of election procedures for joint districts for the May 16 election. (Sec. 34-1413, Idaho Code)
April 13	Last day for a supporter or opponent of a ballot measure which appeared on the March 14 election to request a recount with the County Clerk. This date is dependent upon when the County canvasses the election results (i.e. 20 days from canvass). (Sec. 34-2301, Idaho Code)
April 13	Last day for an elector to contest the March 14 election by filing in the proper court. This date is dependent upon when the County canvasses the election results (i.e. 20 days from canvass). (Sec. 34-2008, Idaho Code)
April 14	County Clerk to mail absentee ballots for the May 16 election to voters who requested absentee ballots.
April 14	County Clerk to appoint election personnel for the May 16 election.
April 16 (Sunday)	Last day for County Commissioners to designate polling places prior to the May 16 election. (Sec. 34-302, Idaho Code)
April 21	Last day to pre-register to vote with the County Clerk until 5:00 p.m. for the May 16 election. Registration closes in those districts holding a May 16 election. Election Day Registration is available. (Sec. 34-408, Idaho Code)
April 22-May 2 (Saturday-Tuesday)	County Clerk to mail ballots for the May 16 election to voters in designated Mail Ballot Precincts. (Sec. 34-308, Idaho Code)
May 1	Last day to begin Early Voting at the Early Voting Polling Place for the May 16 election for those counties who elect to conduct Early Voting. (Sec. 34-1012, Idaho Code)

2	2017 Election Consoliaation Calenaar - Continuea
May 4	First notice of election is published for the May 16 election by the County Clerk in the official newspaper(s) of the county. Published in at least two newspapers within the county, if possible. (Sec. 34-602 and 34-1406, Idaho Code)
May 4	Last day for the County Clerk to receive written requests for the purpose of authorizing persons to act as watchers and challengers at the polling place for the May 16 election. (Sec. 34-304, Idaho Code)
May 5	Last day for an application for a mail-in absentee ballot to be received by the County Clerk not later than 5:00 p.m. for the May 16 election. (Sec. 34-1002, Idaho Code)
May 11	Second notice of election for the May 16 election is published by the County Clerk in the official newspaper(s) of the county. Facsimile sample ballot published at this time. Published in at least two newspapers within the county, if possible. (Sec. 34-602, 34-1406, and 34-2425, Idaho Code and Secretary of State Directive)
May 12	Last day for in-person absentee voting until 5:00 p.m. for the May 16 election at the absent elector's polling place. (Sec. 34-1002, Idaho Code)
May 12	Last day for Early Voting until 5:00 p.m. for the May 16 election at the Early Voting polling place. (Sec. 34-1012, Idaho Code)
May 13 (Saturday)	Last day for the County Clerk to examine election register and note challenges from the March 14 election. (Sec. 34-432, Idaho Code)
May 16	Last day to return absentee ballots to the County Clerk's Elections Office by 8:00 p.m. for the May 16 election. (Sec. 34-1005, Idaho Code)
May 16	Election 8:00 a.m. to 8:00 p.m. (*) At Clerk's option, polling places may be opened at 7:00 a.m. (Sec. 34-106 and 34-1101, Idaho Code)
May 16	County Clerk's office to remain open 8:00 a.m. to 8:00 p.m., if the county is holding an election. (Sec. 34-211, Idaho Code)
May 17	Registration reopens. (Sec. 34-408, Idaho Code)
May 26	Last day for the Board of County Commissioners to meet and canvass the vote for the May 16 election. (Sec. 34-1410, Idaho Code)
May 26	County Clerk to certify election results to the political subdivisions for the May 16 election. This date depends upon the date the County Board of Canvassers meets. The results should be certified to the political subdivision(s) immediately after the County Canvassers meet. (Sec. 34-
	1410, Idaho Code)

June 15	Last day for a candidate or a supporter or opponent of a ballot measure which appeared on the May 16 election to request a recount with the County Clerk. This date is dependent upon when the County canvasses the election results (i.e. 20 days from canvass). (Sec. 34-2301, Idaho Code)			
June 15	Last day for an elector to contest the May 16 election by filing in the proper court. This date is dependent upon when the County canvasses the election results (i.e. 20 days from canvass). (Sec. 34-2008, Idaho Code)			
July 10	Last day to certify the wording to the County Clerk for a bond or levy election by a school district or a recall election by any political subdivision which is ordered for the August 29 election. (Sec. 34-106, Idaho Code)			
July 14	Last day for the County Clerk to submit a request to the Secretary of State for a modification of election procedures for political subdivision for the August 29 election. (Sec. 34-1413, Idaho Code)			
July 15 (Saturday)	Last day for the County Clerk to examine election register and note challenges from the May 16 election. (Sec. 34-432, Idaho Code)			
July 20	Last day for the Secretary of State to approve requested modification of election procedures for political subdivision for the August 29 election. (Sec. 34-1413, Idaho Code)			
July 28	County Clerk to appoint election personnel for the August 29 election.			
July 28	County Clerk to mail absentee ballots for the August 29 election to voters who requested absentee ballots.			
July 30 (Sunday)	Last day for County Commissioners to designate polling places prior to the August 29 election. (Sec. 34-302, Idaho Code)			
August 4	Last day to pre-register to vote with the County Clerk until 5:00 p.m. for the August 29 election. Registration closes in those districts holding an August 29 election. Election Day Registration is available. (Sec. 34-408, Idaho Code)			
August 5-15 (Saturday-Tuesday)	County Clerk to mail ballots for the August 29 election to voters in designated Mail Ballot Precincts. (Sec. 34-308, Idaho Code)			
August 14	Last day to begin Early Voting at the Early Voting Polling Place for the August 29 election for those counties who elect to conduct Early Voting. (Sec. 34-1012, Idaho Code)			
August 17	First notice of election is published for the August 29 election by the County Clerk in the official newspaper(s) of the county. (Sec. 34-602 and 34-1406, Idaho Code)			

August 17	Last day for the County Clerk to receive written requests for the purpose of authorizing persons to act as challengers at the polling place for the August 29 election. (Sec. 34-304, Idaho Code)			
August 18	Last day for an application for a mail-in absentee ballot to be received by the County Clerk not later than 5:00 p.m. for the August 29 election. (Sec. 34-1002, Idaho Code)			
August 24	Second notice of election for the August 29 election is published by the County Clerk in the official newspaper(s) of the county. Facsimile sample ballot published at this time. Published in at least two newspapers within the county, if possible. (Sec. 34-602, 34-1406, and 34-2425, Idaho Code and Secretary of State Directive)			
August 25	Last day for in-person absentee voting until 5:00 p.m. for the August 29 election at the absent elector's polling place. (Sec. 34-1002, Idaho Code)			
August 25	Last day for Early Voting until 5:00 p.m. for the August 29 election at the Early Voting polling place. (Sec. 34-1012, Idaho Code)			
August 25- September 1	COUNTY CLERK publishes notice of candidate filing deadline for the November 7 election during this week in the official newspaper(s) of the political subdivision. (Sec. 34-1405, Idaho Code)			
August 25- September 1	CITY CLERK to publish notice of candidate filing deadline for the November 7 election during this week in the official newspaper(s) of the city. (Sec. 50-411, Idaho Code)			
August 28	First day to file beginning at 8 a.m. as a candidate for the CITY ELECTION to be held on November 7. Filing is with the CITY CLERK. (Sec. 50-410, Idaho Code)			
August 29	Last day to return absentee ballots to the County Clerk's Elections Office by 8:00 p.m. for the August 29 election. (Sec. 34-1005, Idaho Code)			
August 29	Election 8:00 a.m. to 8:00 p.m. (*) At Clerk's option, polling places may be opened at 7:00 a.m. (Sec. 34-106 and 34-1101, Idaho Code)			
August 29	County Clerk's office to remain open 8:00 a.m. to 8:00 p.m., if county is holding an election. (Sec. 34-211, Idaho Code)			
August 30	Registration reopens. (Sec. 34-408, Idaho Code)			
September 8	Last day for the Board of County Commissioners to meet and canvass the vote for the August 29 election. (Sec. 34-1410, Idaho Code)			
September 8	County Clerk to certify election results to the political subdivisions for the August 29 election. This date depends upon the date the County Board of Canvassers meets. The results should be certified to the political subdivision(s) immediately after the County Canvassers meet.			

(Sec. 34-1410, Idaho Code)

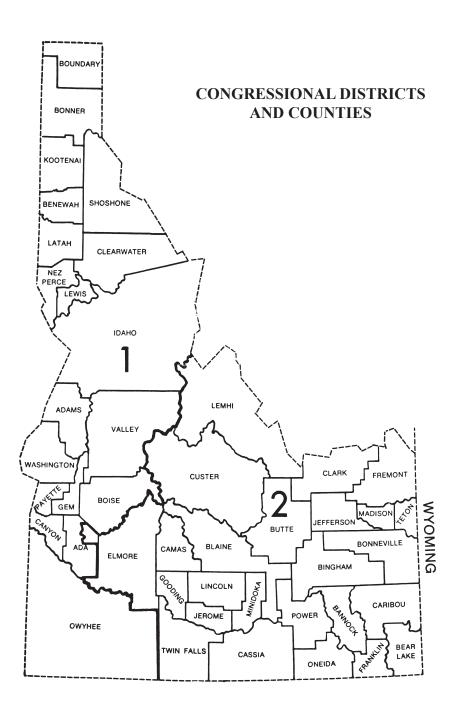
September 8	Last day to file until 5:00 p.m. as a candidate for the CITY ELECTION to be held on November 7. Filing is with the CITY CLERK. (Sec. 50-410, Idaho Code)			
September 8	Last day for filing declarations of candidacy until 5:00 p.m. for candidates for the November 7 election with the clerk of the political subdivision. This filing is for political subdivision candidates. (Sec. 34-1404, Idaho Code)			
September 15	Last day for the clerk of the political subdivision to certify the nominees to be placed on the ballot of the political subdivision for the November 7 election. (Sec. 34-1404, Idaho Code)			
September 18	Last day for a political subdivision to certify the wording to the County Clerk for a bond, levy, initiative, referendum, recall or any other ballot question ordered for the November 7 election. (Sec. 34-106, Idaho Code)			
September 22	Last day for the County Clerk to submit a request to the Secretary of State for a modification of election procedures for political subdivision for the November 7 election. (Sec. 34-1413, Idaho Code)			
September 23 (Saturday)	Last day declaration of intent to be filed by a write-in candidate with the clerk of the political subdivision for the November 7 election. This filing is for political subdivision candidates. (Sec. 34-1407, Idaho Code)			
September 23 (Saturday)	Last day a candidate for the November 7 election to withdraw before the November 7 election. (Sec. 34-1405A, Idaho Code)			
September 28	Last day for the Secretary of State to approve requested modification of election procedures for political subdivision for the November 7 election. (Sec. 34-1413, Idaho Code)			
September 28	Last day for a supporter or opponent of a ballot measure which appeared on the August 29 election to request a recount with the County Clerk. This date is dependent upon when the County canvasses the election results (i.e. 20 days from canvass). (Sec. 34-2301, Idaho Code)			
September 28	Last day for an elector to contest the August 29 election by filing in the proper court. This date is dependent upon when the County canvasses the election results (i.e. 20 days from canvass). (Sec. 34-2008, Idaho Code)			
October 6	County Clerk to appoint election personnel for the November 7 election.			
October 6	County Clerk to mail absentee ballots for the November 7 election to voters who requested absentee ballots.			

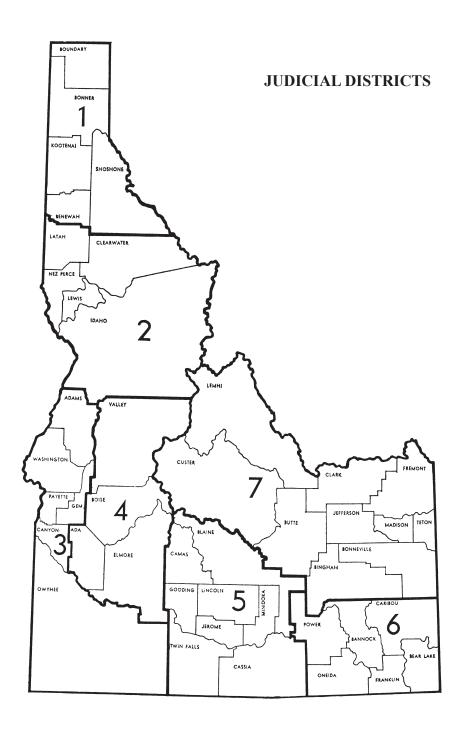
October 8 (Sunday)	Last day for County Commissioners to designate polling places prior to the November 7 election. (Sec. 34-302, Idaho Code)		
October 10	Last day declaration of intent to be filed by a write-in candidate with the CITY CLERK for the November 7 city election. (Sec. 50-410, Idaho Code)		
October 13	Last day to pre-register to vote with the County Clerk until 5:00 p.m. for the November 7 election. Registration closes in those districts holding a November 7 election. Election Day Registration is available. (Sec. 34-408, Idaho Code)		
October 14-24 (Saturday-Tuesday)	County Clerk to mail ballots for the November 7 election to voters in designated Mail Ballot Precincts. (Sec. 34-308, Idaho Code)		
October 23	Last day to begin Early Voting at the Early Voting Polling Place for the November 7 election for those counties who elect to conduct Early Voting. (Sec. 34-1012, Idaho Code)		
October 26	First notice of election is published for the November 7 election by the County Clerk in the official newspaper(s) of the county. Published in at least two newspapers within the county, if possible. (Sec. 34-602 and 34-1406, Idaho Code)		
October 26	Last day for the County Clerk to receive written requests for the purpose of authorizing persons to act as watchers and challengers at the polling place for the November 7 election. (Sec. 34-304, Idaho Code)		
October 27	Last day for an application for a mail-in absentee ballot to be received by the County Clerk not later than 5:00 p.m. for the November 7 election. (Sec. 34-1002, Idaho Code)		
October 28 (Saturday)	Last day for the County Clerk to examine election register and note challenges from the August 29 election. (Sec. 34-432, Idaho Code)		
November 2	Second notice of election for the November 7 election is published by the County Clerk in the official newspaper(s) of the county. Facsimile sample ballot published at this time. Published in at least two newspapers within the county, if possible. (Sec. 34-602, 34-1406, and 34-2425, Idaho Code and Secretary of State Directive)		
November 3	Last day for in-person absentee voting until 5:00 p.m. for the November 7 election at the absent elector's polling place. (Sec. 34-1002, Idaho Code)		
November 3	Last day for Early Voting until 5:00 p.m. for the November 7 election at the Early Voting polling place. (Sec. 34-1012, Idaho Code)		
November 7	Last day to return absentee ballots to the County Clerk's Elections Office by 8:00 p.m. for the November 7 election. (Sec. 34-1005, Idaho Code)		

November 7	Election 8:00 a.m. to 8:00 p.m. (*) At Clerk's option, polling places may be opened at 7:00 a.m. (Sec. 34-106 and 34-1101, Idaho Code)		
November 7	County Clerk's office to remain open 8:00 a.m. to 8:00 p.m., if the county is holding an election. (Sec. 34-211, Idaho Code)		
November 8	Registration reopens. (Sec. 34-408, Idaho Code)		
November 17	Last day for the Board of County Commissioners to meet and canvass the vote for the November 7 election. (Sec. 34-1410, Idaho Code)		
November 17	County Clerk to certify election results to the political subdivisions for the November 7 election. (Sec. 34-1410, Idaho Code)		
November 20	Clerk of the political subdivision issues certificates of election for the November 7 election. (Sec. 34-1410, Idaho Code)		
December 7	Last day for a candidate or a supporter or opponent of a ballot measure which appeared on the November 7 election to request a recount with the County Clerk. This date is dependent upon when the County canvasses the election results (i.e. 20 days from canvass). (Sec. 34-2301, Idaho Code)		
December 7	Last day for an elector to contest the November 7 election by filing in the proper court. This date is dependent upon when the County canvasses the election results (i.e. 20 days from canvass). (Sec. 34-2008, Idaho Code)		
December 7	If authorized by City ordinance pursuant to 50-612 and 50-707B, Idaho Code, last day for a run-off city election between the two candidates receiving the highest number of votes cast if no candidate receives a majority of the votes cast. (Sec. 50-612 and Sec. 50-707B, Idaho Code)		
January 6, 2018 (Saturday)	Last day for the County Clerk to examine election register and note challenges from the November 7 election. (Sec. 34-432, Idaho Code)		

COUNTIES OF IDAHO

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County	County seat	Zip Code	Phone
Ada	Boise	83704	287-6860
Adams	Council	83612-0048	253-4561
Bannock	Pocatello	83205-6094	236-7329
Bear Lake	Paris	83261-0190	945-2212
Benewah	St. Maries	83861-1852	245-3212
Bingham	Blackfoot	83221-1776	782-3164
Blaine	Hailey	83333-8429	788-5510
Boise	Idaho City	83631-1300	392-4431
Bonner	Sandpoint	83864-1794	255-3631
Bonneville	Idaho Falls	83402-3582	529-1363
Boundary	Bonners Ferry	83805-0419	267-2242
Butte	Arco	83213-0737	527-3021
Camas	Fairfield	83327-0430	764-2242
Canyon	Caldwell	83605-3522	454-7562
Caribou	Soda Springs	83276-0775	547-4324
Cassia	Burley	83318-1862	878-5240
Clark	Dubois	83423-0205	374-5304
Clearwater	Orofino	83544-0586	476-5615
Custer	Challis	83226-0385	879-2360
Elmore	Mountain Home	83647-3000	587-2131
Franklin	Preston	83263-1232	852-1090
Fremont	St. Anthony	83445-1548	624-7332
Gem	Emmett	83617-3096	365-4561
Gooding	Gooding	83330-0417	934-4841
Idaho	Grangeville	83530-1948	983-2751
Jefferson	Rigby	83442	745-7756
Jerome	Jerome	83338-2344	644-2714
Kootenai	Coeur d'Alene	83816-9000	446-1030
Latah	Moscow	83843-0568	883-2249
Lemhi	Salmon	83467-3900	756-2815 ext 224
Lewis	Nezperce	83543-5065	937-2661
Lincoln	Shoshone	83352-5364	886-7641
Madison	Rexburg	83440-0389	359-6219
Minidoka	Rupert	83350-0368	436-9511
Nez Perce	Lewiston	83501-0896	799-3020
Oneida	Malad	83252-1200	766-4116
Owyhee	Murphy	83650-0128	495-2421
Payette	Payette	83661-2473	642-6000
Power	American Falls	83211-1200	226-7611
Shoshone	Wallace	83873-2348	752-1264
Teton	Driggs	83422	354-8780
Twin Falls	Twin Falls	83301	736-4004
Valley	Cascade	83611-1350	382-7100
Washington	Weiser	83672-0670	414-2092
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TITLE 34

ELECTIONS

CHAPTER 1 DEFINITIONS

34-101. "General election" defined — Offices to be filled — Constitutional amendments. "General election" means the national, state and county election held on the first Tuesday succeeding the first Monday of November in each even-numbered year.

At these elections there shall be chosen all congressional, state and county officers, including electors of president and vice-president of the United States, as are by law to be elected in such years.

All amendments to the Idaho Constitution shall be submitted to the voters for their approval at these elections. (History: S.L. 1970, Ch. 140; S.L. 1971, Ch. 194)

- **34-102.** "Primary election" defined Purposes. (1) "Primary election" means an election held for the purpose of nominating persons as candidates of political parties for election to offices, and for the purpose of electing persons as members of the controlling committees of political parties. Primary elections, with the exception of presidential primaries, shall be held on the third Tuesday of May in each even-numbered year.
- (2) "Presidential primary" means an election held for the purpose of allowing voters to express their choice of candidate for nomination by a political party for president of the United States. A presidential primary shall be held on the second Tuesday in March in each presidential election year. (History: S.L. 1970, Ch. 140; S.L. 1971, Ch. 194; S.L. 1975, Ch. 174; S.L. 1979, Ch. 309; S.L. 2011, Ch. 11; S.L. 2012, Ch. 33; S.L. 2015, Ch. 292)
- **34-103.** "Special election" defined. "Special election" means any election other than a general or primary election held at any time for any purpose provided by law. (History: S.L. 1970, Ch. 140; S.L. 1971, Ch. 194)
- **34-104.** "Qualified elector" defined. "Qualified elector" means any person who is eighteen (18) years of age, is a United States citizen and who has resided in this state and in the county at least thirty (30) days next preceding the election at which he desires to vote, and who is registered as required by law. (History: S.L. 1970, Ch. 140; S.L. 1971, Ch. 194; S.L. 1972, Ch. 350; S.L. 1973, Ch. 304; S.L. 1982, Ch. 253)
- **34-105.** "Registered elector" defined. "Registered elector", for the purpose of this act, means any "qualified elector". (History: S.L. 1970, Ch. 140; S.L. 1971, Ch. 194)
- **34-106. Limitation upon elections.** On and after January 1, 2011, notwithstanding any other provisions of the law to the contrary, there shall be no more than two (2) elections conducted in any county in any calendar year, except as provided in this section, and except that elections to fill vacancies in the United States house of representatives shall be held as provided in the governor's proclamation.
 - (1) The dates on which elections may be conducted are:
 - (a) The third Tuesday in May of each year; and

- (b) The Tuesday following the first Monday in November of each year.
- (c) In addition to the elections specified in paragraphs (a) and (b) of this subsection and subsection (7) of this section, an emergency election may be called upon motion of the governing board of a political subdivision. An emergency exists when there is a great public calamity, such as an extraordinary fire, flood, storm, epidemic, or other disaster, or if it is necessary to do emergency work to prepare for a national or local defense, or it is necessary to do emergency work to safeguard life, health or property.
- (d) In addition to the elections specified elsewhere in this section, a presidential primary shall be held on the second Tuesday in March in each presidential election year. Presidential primaries shall be held separately from other primary elections, which shall be held on the third Tuesday in May even in presidential election years.
- (2) Candidates for office elected in May shall take office on the date specified in the certificate of election but not more than sixty (60) days following the election.
- (3) Candidates for office elected in November shall take office as provided in the constitution, or on January 1, next succeeding the November election.
- (4) The governing board of each political subdivision subject to the provisions of this section, which, prior to January 1, 2011, conducted an election for members of that governing board on a date other than a date permitted in subsection (1) of this section, shall establish as the election date for that political subdivision the date authorized in subsection (1) of this section which falls nearest the date on which elections were previously conducted, unless another date is established by law.
- (5) The secretary of state is authorized to provide such assistance as necessary, and to prescribe any needed rules or interpretations for the conduct of election authorized under the provisions of this section.
- (6) Water districts governed by chapter 6, title 42, Idaho Code, are exempt from the provisions of this section.
- (7) Community colleges governed by chapter 21, title 33, Idaho Code, and school districts are subject to the limitations specified in subsection (1) of this section, except that school districts may also hold an election on the second Tuesday in March of each year and on the last Tuesday in August of each year on bonded indebtedness and property tax levy questions.
- (8) Initiative, referendum, bond, levy and any other ballot question elections conducted by any political subdivision shall be held on the nearest date authorized in subsection (1) of this section which falls more than sixty (60) days after the clerk of the political subdivision orders that such election shall be held in May and November of even-numbered years and fifty (50) days for all other elections, unless otherwise provided by law. City initiative and referendum elections shall be held in November of odd-numbered years as provided by section 34-1801B, Idaho Code. Ballot language for any question to be placed on the ballot shall be submitted to the county clerk at least sixty (60) days before the election held in May and November of even-numbered years and at least fifty (50) days for all other elections.
- (9) Recall elections may be held on any of the four (4) dates authorized in subsections (1) and (7) of this section that falls more than forty-five (45) days after the clerk of the political subdivision orders that such election shall be held.

(10) Irrigation districts governed by title 43, Idaho Code, are subject to the limitations specified in subsection (1) of this section, except that irrigation districts may also hold an election on the first Tuesday in February of each year and on the first Tuesday in August of each year on questions required to be voted upon by title 43, Idaho Code. (History: S.L. 1992, Ch. 176; S.L. 1993, Ch. 313; S.L. 2007, Ch. 92; S.L. 2009, Ch. 341; S.L. 2010, Ch. 185; S.L. 2011, Ch. 11; S.L. 2013, Ch. 135; S.L. 2015, Ch. 285; S.L. 2015, Ch. 292)

34-106A. [Repealed - S.L. 1972, Ch. 350]

- **34-107.** "Residence" defined. (1) "Residence," for voting purposes, shall be the principal or primary home or place of abode of a person. Principal or primary home or place of abode is that home or place in which his habitation is fixed and to which a person, whenever he is absent, has the present intention of returning after a departure or absence therefrom, regardless of the duration of absence.
- (2) In determining what is a principal or primary place of abode of a person the following circumstances relating to such person may be taken into account: business pursuits, employment, income sources, residence for income or other tax pursuits, residence of parents, spouse, and children, if any, leaseholds, situs of personal and real property, situs of residence for which the exemption in section 63-602G, Idaho Code, is filed, and motor vehicle registration.
- (3) A qualified elector who has left his home and gone into another state or territory or county of this state for a temporary purpose only shall not be considered to have lost his residence.
- (4) A qualified elector shall not be considered to have gained a residence in any county or city of this state into which he comes for temporary purposes only, without the intention of making it his home but with the intention of leaving it when he has accomplished the purpose that brought him there.
- (5) If a qualified elector moves to another state, or to any of the other territories, with the intention of making it his permanent home, he shall be considered to have lost his residence in this state. (History: S.L. 1970, Ch. 140; S.L. 1971, Ch. 194; S.L. 1982, Ch. 215; S.L. 1989, Ch. 147; S.L. 1996, Ch. 322)
- **34-108.** "Election official" defined. "Election official" means the secretary of state, any county clerk, registrar, judge of election, clerk of election, canvassing board or board of county commissioners engaged in the performance of election duties as required by law. (History: S.L. 1970, Ch. 140; S.L. 1971, Ch. 194)
- **34-109.** "Political party" defined. "Political party" means an affiliation of electors representing a political group under a given name as authorized by law. (History: S.L. 1970, Ch. 140)
- **34-110.** "Election register" defined. "Election register" means the voter registration cards of all electors who are qualified to appear and vote at the designated polling places. (History: S.L. 1970, Ch. 140)

34-111. "Combination election record and poll book" defined — Operation.

- (1) "Combination election record and poll book" means the book containing a listing of registered electors who are qualified to appear and vote at the designated polling places. An additional copy of the combination election record and poll book may be maintained to record that the elector has voted.
- (2) The county clerk shall deliver to the chief election judge in each precinct, as other election supplies and materials are delivered, a list in alphabetical order of all registered electors referred to in section 34-110, Idaho Code. This list shall constitute the combination election record and poll book of each precinct. This list shall include the residence address of each elector. For any given precinct, the list may be divided into two (2) or more separate parts and shall be alphabetical according to the name of the registered elector.
- (3) The county clerk shall administer an oath of office to the chief judge of each precinct, before or upon delivering supplies. The county clerk may delegate his authority to administer oath of the chief judge to any officer authorized to administer oaths, including notaries public.
- (4) Before entering upon the discharge of their duties, the election judges shall take and subscribe an oath in the combination election record and poll book. Such oaths shall be administered by the chief judge of the precinct. Should the chief judge fail to be present any officer authorized to administer oaths including notaries public may administer oaths to the election judges. Blank oaths of office shall be attached to the combination election record and poll book.
- (5) The combination election record and poll book shall be in the manner and form prescribed by the secretary of state.
- (6) Immediately after the close of the polls, the names of the electors who voted shall be counted and the number written and certified in the combination election record and poll book. The combination election record and poll book shall be immediately signed by each of the election board judges. (History: S.L. 1970, Ch. 140; S.L. 1972, Ch. 350; S.L. 1982, Ch. 137)
- **34-111A.** "Electronic poll book" defined. "Electronic poll book" means an electronic list of registered voters for a particular precinct or polling location that may be transported to the polling location. The electronic poll book shall contain the same information as the combination election record and poll book as defined in this chapter. (History: S.L. 2015, Ch. 282)
- **34-112.** "County clerk" defined. "County clerk" means the clerk of the district court. (History: S.L. 1970, Ch. 140)
- **34-113.** "Candidate" defined. "Candidate" means and includes every person for whom it is contemplated or desired that votes be cast at any political convention, primary, general or special election, and who either tacitly or expressly consents to be so considered, except candidates for president and vice-president of the United States. (History: S.L. 1970, Ch. 140)

- **34-114.** "Tally book" or "tally list" defined. "Tally book" or "tally list" means the forms in which the votes cast for any candidate or special question are counted and totaled at the polling precinct. (History: S.L. 1970, Ch. 140)
- **34-115.** References to male include female and masculine includes feminine. All references to the male elector includes [include] the female elector and the masculine pronoun includes the feminine. (History: S.L. 1970, Ch. 140)
- **34-116.** Calendar days used in computation of time. Calendar days shall be used in all computations of time made under the provisions of this act. In computing time for any act to be done before any election, the first day shall be included and the last, or election day, shall be excluded. Sundays, Saturdays and legal holidays shall be included, but if the time for any act to be done shall fall on Sunday, Saturday or a legal holiday, such act shall be done upon the day following such Sunday, Saturday or legal holiday. (History: S.L. 1970, Ch. 140; S.L. 1995, Ch. 215)
- **34-117.** "Judicial nominating election" defined. "Judicial nominating election" means an election held for the purpose of selecting justices of the supreme court and judges of the district court as are by law to be selected at such election. This election shall be held on the date of the statewide primary election. (History: S.L. 1971, Ch. 194)

CHAPTER 2 DUTIES OF OFFICERS

34-201. Secretary of state chief election officer. The secretary of state is the chief election officer of this state, and it is his responsibility to obtain and maintain uniformity in the application, operation and interpretation of the election laws.

The secretary of state is responsible for providing information regarding voter registration procedures and absentee ballot procedures to be used by absent uniformed service voters and overseas voters with respect to elections for federal office as required by section 102 of the uniformed and overseas citizens absentee voting act (42 U.S.C. section 1973 et. seq.).

If a national or local emergency or other situation arises which make substantial compliance with the provisions of the uniformed and overseas citizens absentee voting act impossible or unreasonable, such as a natural disaster or an armed conflict involving United States armed forces, mobilization of those forces, including state national guard and reserve components of this state, the secretary of state may prescribe, by directive, such special procedures or requirements as may be necessary to facilitate absentee voting by those citizens directly affected who otherwise are eligible to vote in this state. (History: S.L. 1970, Ch. 140; S.L. 2003, Ch. 48)

34-202. Secretary of state to distribute comprehensive directives and instructions relating to election laws to all county clerks. In carrying out his responsibility under section 17 [34-201], [Idaho Code,] the secretary of state shall cause to be prepared and distributed to each county clerk detailed and comprehensive written

directives and instructions relating to and based upon the election laws as they apply to elections, registration of electors and voting procedures which by law are under the direction and control of the county clerk. Such directives and instructions shall include sample forms of ballots, papers, documents, records and other materials and supplies required by such election laws. The secretary of state shall prescribe a form for voter registration cards based on the voter registration laws and, from time to time, shall cause to be prepared and distributed to each county clerk such written corrections of such directives and instructions and of the form for registration cards as are necessary to maintain uniformity in the application, operation and interpretation of and to reflect changes in the election laws. Each county clerk affected thereby shall comply with such directives and instruction, and corrections thereof, and shall provide voter registration cards prepared in accordance with the prescribed form. (History: S.L. 1970, Ch. 140)

- **34-203. Assistance and advice to county clerks.** In carrying out his responsibility under section 17 [34-201], [Idaho Code,] the secretary of state shall assist and advise each county clerk with regard to the application, operation and interpretation of the election laws as they apply to elections, registration of electors and voting procedures which by laws are under the direction and control of the county clerk. (History: S.L. 1970, Ch. 140)
- **34-204.** Conferences with county clerks on administration of election laws. In carrying out his responsibility under section 34-201, Idaho Code, the secretary of state shall cause to be organized and conducted at convenient places and times in this state at least three (3) conferences on the administration of the election laws. The secretary of state shall cause written notice of the place and time of each conference to be given to each county clerk. Each county clerk or his designated deputy shall attend at least one (1) of the conferences and shall comply with the instructions given under the authority of the secretary of state at each conference such county clerk attends. (History: S.L. 1970, Ch. 140; S.L. 2015, Ch. 292)
- **34-205. Duties of secretary of state relating to election laws.** The secretary of state shall:
- (1) Prepare and cause to be printed, in appropriate and convenient form, periodic compilations and digests of the election laws.
- (2) Distribute in appropriate quantities to the county clerks for use by such county clerks and by election boards, copies of such compilations and digests and the sample form of such supplies and materials necessary to conduct elections as the secretary of state considers appropriate, including poll books, tally sheets, return sheets and abstract of vote sheets.
- (3) Make such compilations and digests available for distribution, free or at cost, to interested persons. (History: S.L. 1970, Ch. 140)
- **34-206.** General supervision of administration of election laws by county clerks. Subject to and in accordance with the directives and instructions prepared and distributed or given under the authority of the secretary of state, each county clerk shall

exercise general supervision of the administration of the election laws by each local election official in his county for the purpose of achieving and maintaining a maximum degree of correctness, impartiality, efficiency and uniformity in such administration by local election officials. Such directives and instructions shall be directed to and shall be complied with by each local election official affected thereby. (History: S.L. 1970, Ch. 140; S.L. 1971, Ch. 69)

34-207. [Repealed - S.L. 1971, Ch. 69]

- **34-208.** Duties of county clerks relating to supervision of election laws. In carrying out his exercise of general supervision under section 34-206, each county clerk shall:
- (1) Require that each local election official shall use such ballots, papers, documents, records and other materials and supplies as directed by the secretary of state.
- (2) Require each local election official in his county to submit reports pertaining to the administration of the election laws by such local election official. Each local election official shall comply with any such requirement.
- (3) Inspect and observe the administration of the election laws by any local election official in his county at any time he deems necessary.
- (4) Carry on a program of in-service training for local election officials in his county by periodically distributing to them such bulletins, manuals and other informational instructional materials and by establishing and conducting such classes of instruction pertaining to the administration of the election laws by local election officials as the county clerk considers desirable. (History: S.L. 1970, Ch. 140; S.L. 1971, Ch. 69)
- **34-209. Powers of county clerks.** (1) The county clerk may employ such personnel and procure such equipment, supplies, materials, books, papers, records and facilities of every kind as he considers necessary to facilitate and assist in carrying out his functions in connection with administering the election laws; except that procurement of voting machines or vote tally systems shall be conducted in accordance with the provisions of section 34-2405, Idaho Code.
- (2) The necessary expenses incurred by the county clerk in administering the election laws, including reasonable rental for polling places, shall be allowed by the board of commissioners and paid out of the county treasury.
- (3) The county clerk and his deputies may administer oaths and affirmations in connection with the performance of their functions in administering the election laws. (History: S.L. 1970, Ch. 140; S.L. 1972, Ch. 131)
- **34-210.** Preparation of ballots, papers, documents, records, and other materials and supplies required. Subject to any applicable election law, the county clerk may devise, prepare and use in his administration of the election laws the ballots, papers, documents, records and other materials and supplies required or permitted by the election laws or otherwise necessary in such administration by such county clerk. (History: S.L. 1970, Ch. 140)

- **34-211.** Office of county clerk open as long as polls are open. On the day of any general, special or primary election held throughout the county, the county clerk shall keep his office open for the transaction of business pertaining to the election from the time the polls are opened in the morning continuously until the polls are closed. (History: S.L. 1970, Ch. 140)
- 34-212. Reports to prosecuting attorney of noncompliance with election laws by county clerk. (1) Any person having knowledge of any failure of a county clerk to comply with a lawful directive or instruction prepared and distributed or given under the authority of the secretary of state may notify the prosecuting attorney of the county. Upon receipt of such notification the prosecuting attorney shall proceed immediately to investigate the alleged failure of the county clerk to comply. Upon the conclusion of the investigation the prosecuting attorney shall advise and direct the county clerk with regard to how he must proceed in connection with the matter. The county clerk shall proceed immediately to comply with the directive of the prosecuting attorney.
- (2) If the prosecuting attorney, upon the conclusion of an investigation under subsection (1) of this section, determines that the county clerk has failed to comply with a lawful directive or instruction prepared and distributed or given under the authority of the secretary of state, and that such failure to comply involves a violation by the county clerk of any statute, the violation of which is punishable by a criminal penalty or forfeiture of office, the prosecuting attorney shall promptly proceed to prosecute such violation by the county clerk.
- (3) The remedy provided in this section is cumulative and does not exclude any other remedy provided by law against a county clerk who fails to comply with a lawful directive or instruction prepared and distributed or given under the authority of the secretary of state, or who violates any statute. (History: S.L. 1970, Ch. 140)
- **34-213. Mandamus to enforce compliance by county clerk.** (1) Whenever it appears to the secretary of state that a county clerk has failed to comply with a lawful directive or instruction prepared and distributed or given under the authority of the secretary of state, the secretary of state may apply to the appropriate district court or a judge thereof for a writ of mandamus to compel the county clerk to comply with such directive or instruction. In any such mandamus proceeding it is a defense that the directive or instruction in question is unlawful.
- (2) The remedy provided in this section is cumulative and does not exclude any other remedy provided by law against a county clerk who fails to comply with a lawful directive or instruction prepared and distributed or given under the authority of the secretary of state. (History: S.L. 1970, Ch. 140)
- 34-214. Noncompliance by local county election officials Enforcement by county clerk. (1) Whenever it appears to a county clerk that any local election official in his county has failed to comply with any election law or any directive or instruction prepared and issued by the county clerk, the county clerk may issue an order to such local election official. The order shall specify in what manner the local election official has failed to comply, indicate the proper manner of compliance and direct the local

election official to so comply with such law or directive or instruction within a designated reasonable time.

- (2) If the local election official fails to comply as directed by the order of the county clerk, the county clerk may apply to a judge of the district court for the county in which the county clerk holds office for an order, returnable within five (5) days from the date thereof, to compel the local election official to comply with the order of the county clerk or to show cause why he should not be so compelled. Upon receipt of the application of the county clerk the judge shall issue the appropriate order, which shall be final. The judge shall dispose of the matter as soon as possible and not more than ten (10) days after his order is returned by the local election official.
- (3) The remedy provided in this section is cumulative and does not exclude any other remedy provided by law against the noncomplying local election official. (History: S.L. 1970, Ch. 140)
- **34-215. Appeals by aggrieved persons.** (1) Any person adversely affected by any act or failure to act by the secretary of state or a county clerk under any election law, or by any order, rule, regulation, directive or instruction made under the authority of the secretary of state or of a county clerk under any election law, may appeal therefrom to the district court for the county in which the act or failure to act occurred or in which the order, rule, regulation, directive or instruction was made or in which such person resides.
- (2) Any party to the appeal proceedings in the district court under subsection (1) of this section may appeal from the decision of the district court to the supreme court.
- (3) The district courts and supreme court, in their discretion, may give such precedence on their dockets to appeals under this section as the circumstances may require.
- (4) The remedy provided in this section is cumulative and does not exclude any other remedy provided by law against any act or failure to act by the secretary of state or a county clerk under any election law or against any order, rule, regulation, directive or instruction made under the authority of the secretary of state or a county clerk under any election law. (History: S.L. 1970, Ch. 140)
- **34-216. Grievance procedures**. The secretary of state shall promulgate rules in compliance with chapter 52, title 67, Idaho Code, establishing state-based administrative complaint procedure as required by the Help America Vote Act (P.L. 107-252) (History: S.L. 2003, Ch. 48).
- **34-217. Retention of county election records.** County election records shall be maintained by the county clerk for the time periods outlined in this section. Records shall be maintained for the period specified beginning with the date the record is created or has become no longer valid, whichever is greater.
 - (1) The following records shall be retained for not less than five (5) years:
 - (a) Voter registration cards for electors whose registration has been terminated.
 - (b) Combination election record and poll book.
 - (c) Declaration of candidacy.

- (d) Maps of precinct boundaries with legal descriptions.
- (e) List of absentee voters.
- (2) The following shall be retained for two (2) years:
- (a) Correspondence relating to an elector's voter registration.
- (b) Completed absentee ballot request forms.
- (c) Tally books.
- (d) Voted ballots.
- (e) Any ballots that were required to be duplicated before being counted.
- (3) The following shall be maintained for one (1) year:
- (a) Absentee ballot affidavit envelopes.
- (b) Notice of election.
- (c) Personal identification affidavit.
- (d) Unvoted ballots from the primary election.
- (e) Ballot tracking logs.
- (f) Automated tabulation election logs.
- (g) Copy of the election definition and program used in tabulating ballots electronically and in the ballot marking device.
- (h) Record of the number of ballots printed and furnished to each polling place.
- (4) Other election supplies including, but not limited to, unused ballots, official election ballot identification and spoiled ballots may be disposed of sixty (60) days following the deadline for requesting a recount or filing an election contest pursuant to chapters 20 and 21, title 34, Idaho Code. (History: S.L. 2011, Ch. 285; S.L. 2012, Ch. 211; S.L. 2013, Ch. 285)

CHAPTER 3 ELECTION PRECINCTS AND JUDGES

34-301. Establishment of election precincts by county commissioners — Lists and maps to be furnished to secretary of state. The board of county commissioners in each county shall establish a convenient number of election precincts therein. The board of county commissioners may establish an absentee voting precinct for each legislative district within the county. The boundaries of such absentee precincts shall be the same as those of the legislative districts for which they were established. The board shall have the authority to create new or consolidate established precincts only within the boundaries of legislative districts. No county shall have less than two (2) precincts. This board action shall be done no later than January 15 in a general election year. The January 15 deadline shall be waived during a general election year in which a legislative or court ordered redistricting plan is adopted. In such cases, any precinct boundary adjustments shall be accomplished by the county commissioners as soon as is practicable.

The county clerk of each county shall provide, and the secretary of state shall maintain in his office, a current and accurate report of the following:

- (a) A list of all precincts within the county;
- (b) A map of all precincts within the county;
- (c) A count of voters registered for the latest general election, by precinct;

- (d) A count of votes cast at the latest general election, by precinct. (History: S.L. 1970, Ch. 140; S.L. 1971, Ch. 210; S.L. 1972, Ch. 141; S.L. 1973, Ch. 177; S.L. 1974, Ch. 212; S.L. 1976, Ch. 73; S.L. 1977, Ch. 8; S.L. 1992, Ch. 152; S.L. 2009, Ch. 52)
- **34-302. Designation of precinct polling places.** The board shall, not less than thirty (30) days before any election, designate a suitable polling place for each election precinct. Insofar as possible, the board shall designate the same polling place for the general election which it designated for the primary election. The physical arrangements of the polling place shall be sufficient to guarantee all voters the right to cast a secret ballot. All polling places designated as provided herein, shall conform to the accessibility standards adopted by the secretary of state pursuant to the "Voting Accessibility for the Elderly and Handicapped Act," P.L. 98-435. The expense of providing such polling places shall be a public charge and paid out of the county treasury. (History: S.L. 1970, Ch. 140; S.L. 1973, Ch. 304; S.L. 1978, Ch. 38; S.L. 1985, Ch. 115)

34-303. Appointment of election judges by county clerk. The county clerk shall appoint two (2) or more election judges, one (1) of whom shall be designated chief judge, and the number of clerks deemed necessary by him for each polling place. In the event a single polling place is designated for two (2) or more precincts, an individual may serve simultaneously on the election board for two (2) or more precincts thus served by a single polling place. The precinct committeemen shall recommend persons for the position in their respective precincts to the county clerk in writing at least ten (10) days prior to the date on which any appointment shall be made and the county clerk shall appoint the judges from such lists if the persons recommended are qualified.

The chief election judge shall be responsible for the conduct of the proceedings in the polling place. Compensation for all election personnel shall be determined by the board of county commissioners, and not less than the minimum wage as prescribed by the laws of the state of Idaho.

Each election board shall contain personnel representing all existing political parties if a list of applicants has been provided to the county clerk by the precinct committeemen of the precincts at least sixty (60) days prior to the primary election.

In order to provide for a greater awareness of the elections process, the rights and responsibilities of voters and the importance of participating in the electoral process, as well as to provide additional members of precinct boards, a county clerk may appoint not more than two (2) students per precinct to serve under the direct supervision of election board members designated by the county clerk. A student may be appointed, notwithstanding lack eligibility to vote, if the student possesses the following qualifications:

- (1) Is at least seventeen (17) years of age at the time of the election to which he or she is serving as a member of an election board.
- (2) Is a citizen of the United States. (History: S.L. 1970, Ch. 140; S.L. 1971, Ch. 210; S.L. 1977, Ch. 8; S.L. 2003, Ch. 48; S.L. 2004, Ch. 113)

- **34-304.** Challengers Watchers. The county clerk shall, upon receipt of a written request, such request to be received no later than twelve (12) days prior to the day of election, direct that the election judges permit one (1) person authorized by each political party, if the election is a partisan election, to be at the polling place for the purpose of challenging voters, and shall, if requested, permit any one (1) person authorized by a candidate, several candidates or political party, to be present to serve as a watcher to observe the conduct of the election. Such authorization shall be evidenced by a writing signed by the county chairman and secretary of the political party, if the election is a partisan election, or by the candidate or candidates, and filed with the county clerk. Where the issue before the electors is other than the election of officers, the clerk shall, upon receipt of a written request, such request to be received no later than twelve (12) days prior to the date of voting on the issue or issues, direct that the election judges permit one (1) pro and one (1) con person to be at the polling place for the purpose of challenging voters and to observe the conduct of the election. Such authorization shall be evidenced in writing signed by the requesting person and shall state which position relative to the issue or issues the person represents. Persons who are authorized to serve as challengers or watchers shall wear a visible name tag which includes their respective titles. A watcher is entitled to observe any activity conducted at the location at which the watcher is serving, provided however, that the watcher does not interfere with the orderly conduct of the election. If the watchers are present at the polling place when ballots are counted they shall not absent themselves until the polls are closed. A watcher serving at the central counting station may be present at any time the station is open for the purpose of processing or preparing to process election results and until the election officers complete their duties at the station. If the county clerk does not receive the list of names of those desired to be present for the purpose of either poll watching or challenging within the time prescribed above, the clerk shall not allow the presence of such persons later seeking to serve in those capacities. (History: S.L. 1970, Ch. 140; S.L. 1972, Ch. 141; S.L. 1973, Ch. 304; S.L. 2006, Ch. 70; S.L. 2009, 341)
- **34-305.** County clerk chief county elections officer. The county clerk is the chief elections officer of his county and it is his responsibility to obtain and maintain uniformity in the application, operation and interpretation of the election laws. The county clerk shall comply with the lawful directives and instructions given him by the secretary of state. (History: S.L. 1971, Ch. 210)
- **34-306.** Precinct boundary requirements. (1) Precinct boundaries shall follow visible, easily recognizable physical features, on the ground including, but not limited to, streets, railroad tracks, roads, streams, and lakes. The exception shall be when a precinct boundary coincides with a city, county, Indian reservation or school district boundary which does not follow a visible feature.
- (2) In order to achieve compliance with the requirements of this section, and simultaneously maintain legislative district boundaries which may not follow visible features, a county may designate subprecincts within precincts, the internal boundaries of which do not follow visible features. (History: S.L. 1977, Ch. 8; S.L. 1989, Ch. 261; S.L. 1992, Ch. 284)

- **34-307. Precinct boundaries maintained.** From January 15 in any year ending in 8 through September 15 in any year ending in 1, the board of county commissioners shall make no changes in precinct boundaries, except that a single precinct may be divided into two (2) or more new precincts wholly contained within the original precinct. (History: S.L. 1998, Ch. 276)
- **34-308. Mail ballot precinct.** A precinct within the county which contains no more than one hundred and twenty-five (125) registered electors at the last general election, may be designated by the board of county commissioners a mail ballot precinct no later than April 1 in an even-numbered year. Such a designation shall apply thereafter to all elections conducted within the precinct until revoked by the board of county commissioners. Having designated a mail ballot precinct, there shall be no voting place established within the precinct. Elections in a mail ballot precinct shall be conducted in a manner consistent with absentee voting with the following special provisions.
- (1) The clerk shall issue a ballot, by mail, to every registered voter in a mail ballot precinct, and shall affix to the return envelope, postage sufficient to return the ballot.
- (2) The ballot shall be mailed no sooner than twenty-four (24) days prior to the election day and no later than the fourteenth day prior to the election.
- (3) The clerk shall make necessary provisions to segregate mail ballot precinct ballots by precinct, and for all purposes of the election, the precinct integrity shall be maintained.
- (4) The clerk shall make available in the office of the clerk, registration on election day for any individual who is eligible to vote and who resides in a mail ballot precinct and has not previously registered. The clerk shall provide an official polling place in the office of the clerk and a qualified elector who registers on election day and resides in a mail ballot precinct shall be allowed to vote at the office of the clerk.
- (5) (a) Except as provided in subsection (5)(b) of this section, electors who have designated a political party affiliation pursuant to section 34-404, Idaho Code, shall receive the primary election ballot for that party pursuant to sections 34-904 and 34-904A, Idaho Code.
- (b) Electors who have designated a political party affiliation pursuant to section 34-404, Idaho Code, may receive the primary election ballot of a political party other than the political party such elector is affiliated with if such other political party has provided notification to the secretary of state that identifies the political party such elector is affiliated with, as provided for in section 34-904A(2)(b), Idaho Code.
- (6) For "unaffiliated" electors, in order to receive a political party's primary election ballot, pursuant to section 34-904A, Idaho Code, the county clerk shall mail a ballot request form for the primary election ballot to the electors in a mail ballot precinct for the electors to use in selecting the party ballot they choose to receive.
- (a) In the event that more than one (1) political party allows electors designated as "unaffiliated" to vote in their party's primary election pursuant to section 34-904A, Idaho Code, an elector designated as "unaffiliated" shall indicate on the form such elector's choice of the political party's primary election ballot in order to vote in that party's primary election.
 - (b) In the event no more than one (1) political party allows electors designated as

"unaffiliated" to vote in their party's primary election pursuant to section 34-904A, Idaho Code, an elector designated as "unaffiliated" shall indicate on the form that political party's primary election ballot in order to vote in that political party's primary election.

- (c) If an elector designated as "unaffiliated" is not permitted to vote in a political party's primary election as provided for in section 34-904A, Idaho Code, such elector shall receive a nonpartisan ballot.
- (d) If an elector designated as "unaffiliated" does not indicate on the form a choice of political party's primary election ballot, such elector shall receive a nonpartisan ballot. (History: S.L. 2004, Ch. 165; S.L. 2011, Ch. 319)

CHAPTER 4 VOTERS— PRIVILEGES—QUALIFICATIONS AND REGISTRATION

- 34-401. Electors privileged from arrest during attendance at polling place Exception. Electors are privileged from arrest, except for treason, a felony or breach of the peace, during their attendance at a polling place. (History: S.L. 1970, Ch. 140)
- **34-402. Qualifications of electors.** Every male or female citizen of the United States, eighteen (18) years old, who has resided in this state and in the county for thirty (30) days where he or she offers to vote prior to the day of election, if registered within the time period provided by law, is a qualified elector. (History: S.L. 1970, Ch. 140; S.L. 1971, Ch. 192; S.L. 1972, Ch. 392; S.L. 1973, Ch. 304; S.L. 1982, Ch. 253)
- **34-403.** Disqualified electors not permitted to vote. No elector shall be permitted to vote if he is disqualified as provided in article 6, sections 2 and 3 of the state constitution. (History: S.L. 1970, Ch. 140)
- **34-404. Registration of electors.** (1) All electors must register before being able to vote at any primary, general, special, school or any other election governed by the provisions of title 34, Idaho Code. Registration of a qualified person occurs when a legible, accurate and complete registration application is received in the office of the county clerk or is received at the polls pursuant to section 34-408A, Idaho Code.
- (2) Each elector may select on the registration application an affiliation with a political party qualified to participate in elections pursuant to section 34-501, Idaho Code, or may select to be designated as "unaffiliated." The county clerk shall record the party affiliation or "unaffiliated" designation so selected as part of the elector's registration record. If an elector shall fail or refuse to make such a selection, the county clerk shall enter on the registration records that such elector is "unaffiliated."
- (3) In order to provide an elector with the appropriate primary election ballot, pursuant to section 34-904A, Idaho Code, the poll book for primary elections shall include the party affiliation or designation as "unaffiliated" for each elector so registered. An "unaffiliated" elector shall declare to the poll worker which primary election ballot the elector chooses to vote in, pursuant to section 34-904A, Idaho Code, and the poll worker or other authorized election personnel shall record such declaration in the poll book. The poll book shall contain checkoff boxes to allow the poll worker or other

authorized election personnel to record such "unaffiliated" elector's selection.

- (4) In order to provide electors who are already registered to vote, and who remain registered electors, with an opportunity to select a party affiliation or to select their status as "unaffiliated," the poll book for the 2012 primary election shall include checkoff boxes by which the poll worker or other appropriate election personnel shall record such elector's choice of party affiliation or choice to be designated as "unaffiliated." After the 2012 primary election, the county clerk shall record the party affiliation or "unaffiliated" designation so selected in the poll book as part of such an elector's record within the voter registration system as provided for in section 34-437A, Idaho Code.
- (5) After the 2012 primary election, electors who remain registered voters and who did not vote in the 2012 primary election or who have not selected party affiliation or who have not selected to be designated as "unaffiliated," shall be designated as "unaffiliated" and the county clerk shall record that designation for each such elector within the voter registration system as provided for in section 34-437A, Idaho Code. (History: S.L. 1970, Ch. 140; S.L. 1971, Ch. 192; S.L. 1972, Ch. 197; S.L. 1987, Ch. 256; S.L. 1997, Ch. 356; S.L. 2011, Ch. 319; S.L. 2016, Ch. 359)
- **34-405.** Gain or loss of residence by reason of absence from state. For the purpose of voting, no person shall be deemed to have gained or lost a residence by reason of his absence while employed in the service of this state or the United States, while a student of any institution of learning, while kept at any state institution at public expense, nor absent from the state with the intent to have this state remain his residence. If a person is absent from this state but intends to maintain his residence for voting purposes here, he shall not register to vote in any other state during his absence. (History: S.L. 1970, Ch. 140)
- **34-406. Appointment of Registrars.** (1) The county clerk shall provide for voter registration in the clerk's office and may appoint registrars to assist in voter registration throughout the county.
- (2) The county clerk shall provide all political parties within the county with a supply of the registration form prescribed in section 34-411, Idaho Code. (History: S.L. 1994, Ch. 67; S.L. 2011, Ch. 319)
- **34-407. Procedure for registration.** (1) Any county clerk or official registrar shall register without charge any elector who personally appears in the office of the county clerk or before the official registrar, as the case may be, and requests to be registered.
- (2) Upon receipt of a written application to the county clerk from any elector who, by reason of illness or physical incapacity is prevented from personally appearing in the office of the county clerk or before an official registrar, the county clerk or an official registrar so directed by the county clerk shall register such elector at the place of abode of the elector. (History: S.L. 1970, Ch. 140; S.L. 1971, Ch. 192; S.L. 1991, Ch. 337; S.L. 1995, Ch. 215)
- **34-408.** Closing of register Time limit. (1) No elector may register in the office of the county clerk within twenty-four (24) days preceding any election held throughout the county in which he resides for the purpose of voting at such election;

provided however, a legible, accurate and complete registration application received in the office of the county clerk during the twenty-four (24) day period preceding an election shall be accepted and held by the county clerk until the day following the election when registration reopens, at which time the registration shall become effective. This deadline shall also apply to any registrars the county clerk may have appointed.

- (2) Any elector who will complete his residence requirement or attain the requisite voting age during the period when the register of electors is closed may register prior to the closing of the register.
- (3) Notwithstanding subsection (1) of this section, an individual who is eligible to vote may also register, upon providing proof of residence, at the "absent electors' polling place" provided in section 34-1006, Idaho Code. (History: S.L. 1970, Ch. 140; S.L. 1971, Ch. 192; S.L. 1974, Ch. 172; S.L. 1981, Ch. 105; S.L. 1994, Ch. 67; S.L. 2001, Ch. 99; S.L. 2005, Ch. 127; S.L. 2016, Ch. 359)
- **34-408A.** Election day registration. An individual who is eligible to vote may register on election day by appearing in person at the polling place for the precinct in which the individual maintains residence, by completing a registration application, making an oath in the form prescribed by the secretary of state and providing proof of residence. An individual may prove residence for purposes of registering by:
- (1) Showing an Idaho driver's license or Idaho identification card issued through the department of transportation; or
- (2) Showing any document which contains a valid address in the precinct together with a picture identification card; or
- (3) Showing a current valid student photo identification card from a postsecondary educational institution in Idaho accompanied with a current student fee statement that contains the student's valid address in the precinct.

Election day registration provided in this section shall apply to all elections conducted under title 34, Idaho Code, and to school district and municipal elections.

An individual who is eligible to vote may also register, upon providing proof of residence, at the "absent electors' polling place" provided in section 34-1006, Idaho Code. (History: S.L. 1994, Ch. 67; S.L. 1995, Ch. 215; S.L. 1997, Ch. 356; S.L. 2011, Ch. 285; S.L. 2016, Ch. 359)

- **34-409. Electronic registration.** (1) The office of the secretary of state may create and maintain an electronic system for voter registration that is publicly available on its official website. Any qualified elector who has a current valid driver's license or identification card issued pursuant to title 49, Idaho Code, that reflects the person's current principal place of residence, may register to vote by submitting a completed voter registration application electronically through such website. Electronic voter registration applications shall be submitted before the close of registration as provided in section 34-408, Idaho Code.
- (2) The electronic voter registration application shall be in a form prescribed by the secretary of state and shall:
- (a) Require the information under oath or affirmation set forth in section 34-411, Idaho Code:

- (b) Include notice of the requirement to provide personal identification before voting at the polls as set forth in sections 34-1113 and 34-1114, Idaho Code; and
 - (c) Require an electronic signature of the applicant.
- (3) The office of the secretary of state shall obtain a digital copy of the applicant's driver's license or identification card signature from the Idaho transportation department. The Idaho transportation department shall, upon request of the office of the secretary of state, provide a digital copy of the applicant's driver's license or identification card signature.
- (4) Upon receipt of a completed voter registration application and a digital copy of the applicant's driver's license or identification card signature from the Idaho transportation department, the office of the secretary of state shall send the information to the county clerk for the county in which the applicant resides. The county clerk shall prepare and issue to each elector registering electronically a verification of registration containing the name and residence of the elector and the name or number of the precinct in which the elector resides. Such verification of registration may be sent by nonforwardable first-class mail or by electronic mail at the elector's option. If a verification is returned undeliverable, then the county clerk shall remove the elector from the register of electors.
- (5) An applicant using the electronic system for voter registration pursuant to this section shall not be required to complete a printed registration card.
- (6) The office of the secretary of state shall use such security measures necessary to ensure the accuracy and integrity of an electronically submitted voter registration application. (History: S.L. 2016, Ch. 359)
- **34-410. Mail registration.** Any elector may register by mail for any election. Any mail registration application must be received by the county clerk prior to the close of registration as provided in section 34-408, Idaho Code, provided that any mail registration application postmarked not later than twenty-five (25) days prior to an election shall be deemed timely.

The secretary of state shall prescribe the form for the mail registration application. This mail application form shall be available for distribution through governmental and private entities, with particular emphasis on making them available for organized voter registration programs.

Any federal mail registration form adopted pursuant to the provisions of the national voter registration act of 1993 (P.L. 103-31) shall also be accepted as a valid registration, if such form is postmarked not later than twenty-five (25) days prior to an election.

The county clerk shall prepare and issue by first class nonforwardable mail to each elector registering by mail a verification of registration containing the name and residence of the elector and the name or number of the precinct in which the elector resides.

A verification returned undeliverable shall cause the county clerk to remove the elector's card from the register of electors.

As required by the Help America Vote Act of 2002 (P.L. 107-252), a copy of proper identification will be required prior to issuance of a ballot to anyone who has registered by mail and has not previously voted in an election for federal office in the state. Proper identification consists of:

(1) A current and valid photo identification; or

- (2) A copy of a current utility bill, bank statement, government check, paycheck, or other government document that shows the name and address of the voter. (History: S.L. 1994, Ch. 67; S.L. 1995, Ch. 215; S.L. 2003, Ch. 48)
- **34-410A.** Absentee registration for uniformed and overseas citizens. Whenever provision is made for absentee voting by a statute of the United States, including the "Uniformed and Overseas Citizens Absentee Voting Act" (42 U.S.C. 1973 ff.), an application for an absentee ballot made under that law may be given the same effect as an application for an absentee ballot made under chapter 10, title 34, Idaho Code. (History: S.L. 1976, Ch. 353; S.L. 1994, Ch. 122; S.L. 1995, Ch. 215)
- **34-411. Application for registration Contents.** (1) Each elector who requests registration shall supply the following information under oath or affirmation:
 - (a) Full name and sex.
 - (b) Mailing address, residence address or any other necessary information definitely locating the elector's residence.
 - (c) The period of time preceding the date of registration during which the elector has resided in the state.
 - (d) Whether or not the elector is a citizen.
 - (e) That the elector is under no legal disqualifications to vote.
 - (f) The county and state where the elector was previously registered, if any.
 - (g) Date of birth.
 - (h) Current driver's license number or identification card issued by the Idaho transportation department. In the absence of an Idaho driver's license or state issued identification card, the last four (4) digits of the elector's social security number.
- (2) As provided for in section 34-404, Idaho Code, each elector shall select an affiliation with a political party qualified to participate in elections pursuant to section 34-501, Idaho Code, or select to be designated as "unaffiliated." The selection of party affiliation or designation as "unaffiliated" shall be maintained within the voter registration system as provided for in section 34-437A, Idaho Code. If an elector shall fail or refuse to make such a selection, the county clerk shall record as "unaffiliated" such elector within the voter registration system as provided for in section 34-437A, Idaho Code.
- (3) Any elector who shall supply any information under subsection (1) of this section, knowing it to be false, is guilty of perjury.
- (4) Each elector who requests registration may, at the elector's option, supply the elector's telephone number. If the telephone number is supplied by the elector, the telephone number shall be available to the public. (History: S.L. 1970, Ch. 140; S.L. 1971, Ch. 192; S.L. 1972, Ch. 392; S.L. 1988, Ch. 233; S.L. 1995, Ch. 215; S.L. 2003, Ch. 48; S.L. 2011, Ch. 319; S.L. 2012, Ch. 211)

34-411A. Primary elections — changing party affiliation — unaffiliated electors.

(1) For a primary election, an elector may change such elector's political party affiliation or become "unaffiliated" by filing a signed form with the county clerk no later than the last day a candidate may file for partisan political office prior to such primary election,

as provided for in section 34-704, Idaho Code. An "unaffiliated" elector may affiliate with the party of the elector's choice by filing a signed form up to and including election day. The application form described in section 34-1002, Idaho Code, shall also be used for this purpose.

- (2) For a primary election, an "unaffiliated" elector may select a political party affiliation only prior to voting in the primary election. An elector may make such selection on or before election day, by declaring such political party affiliation to the poll worker or other appropriate election personnel. The poll worker or other appropriate election personnel shall then record in the poll book the elector's choice. After the primary election, the county clerk shall record the party affiliation so recorded in the poll book as part of such elector's record within the voter registration system as provided for in section 34-437A, Idaho Code. (History: S.L. 2011, Ch. 319; S.L. 2012, Ch. 211)
- **34-412. Qualifications for registration.** (1) The qualifications of any person who requests to be registered shall be determined in the first instance by the registering official from the evidence before him. If the registering official determines that such person is not qualified, he shall refuse to register the person.
- (2) A person refused registration under subsection (1) of this section may make application to the county clerk for a hearing on his qualifications. Not more than ten (10) days after the date he receives such application, the county clerk shall hold a hearing on the qualifications of the applicant and shall notify the applicant of the place and time of such hearing. At such hearing the applicant may present evidence as to his qualifications, provided that no hearing shall be held subsequent to any election which is held within said ten (10) day period. If the county clerk determines that the applicant is qualified, the county clerk shall register the applicant immediately upon the conclusion of the hearing. (History: S.L. 1970, Ch. 140; S.L. 1982, Ch. 216; S.L. 1995, Ch. 215)
- **34-413.** Reregistration of elector who changes residence. An elector who moves to another county within the state or to another state within thirty (30) days prior to any election shall be permitted to vote in the ensuing election by absentee ballot. (History: S.L. 1970, Ch. 140; S.L. 1972, Ch. 392; S.L. 1977, Ch. 15; S.L. 1982, Ch. 137; S.L. 1983, Ch. 213; S.L. 1995, Ch. 215)

34-414. [Repealed - S.L. 1995, Ch. 215]

34-415. [Repealed - S.L. 1995, Ch. 215]

34-416. Registration applications. (1) The registration application shall contain the following warning:

WARNING: Any elector who supplies any information, knowing it to be false, is guilty of perjury.

- (2) The elector shall read the warning set forth in subsection (1) of this section and shall sign his name in an appropriate place on the completed application.
 - (3) The registration application completed and signed as provided in this section

constitutes the official registration application of the elector. The county clerk shall keep and file all such applications in a convenient manner in his office. Such applications constitute the register of electors and shall be considered confidential and unavailable for public inspection and copying except as provided by subsection (25) of section 74-106, Idaho Code. (History: S.L. 1970, Ch. 140; S.L. 1972, Ch. 392; S.L. 2001, Ch. 99; S.L. 2003, Ch. 48; S.L. 2004, Ch. 163; S.L. 2015, Ch. 141; S.L. 2016, Ch. 359)

- **34-417.** Changes in boundaries of precinct Alteration of registration cards. When changes in the boundaries of any precinct are made, the county clerk shall alter the official registration card of any elector to conform with the change and shall mail a written notice thereof to such elector at his residence address indicated on the altered registration card. (History: S.L. 1970, Ch. 140)
- 34-418. Weekly review of new registration cards Report to interested officials. Each week the county clerk shall review the registration cards of all newly registered electors for the past weekly period to determine whether they have been previously registered to vote in another state or in another county within this state. The county clerk or secretary of state, through the statewide voter registration system, shall notify the proper registration official or county clerk where the elector was previously registered so that the prior registration may be canceled. The form of such notice shall be prescribed by the secretary of state. (History: S.L. 1970, Ch. 140; S.L. 2006; S.L. 70)
- **34-419.** Suspension of registration of electors who appear not to be citizens of the United States. The county clerk shall remove from the register of electors the official registration application of any elector who appears by the registration records in the office of the county clerk not to be a citizen of the United States and shall suspend the registration of such elector. The county clerk shall mail a written notice of such removal and suspension to the elector at his residence address indicated on the application. If the elector proves to the county clerk that he is in fact a citizen of the United States, his application shall be replaced in the register and his registration reinstated. (History: S.L. 1970, Ch. 140; S.L. 2016, Ch. 359)
- 34-420. No elector's registration shall be canceled while he is serving in the armed forces Exception. (1) Except as provided in section 34-435, Idaho Code, no elector's registration shall be canceled, nor shall he be deprived of his right to vote at any election by reason of the removal of his official registration application from the register of electors, during any period that he is serving in the armed forces of the United States or of any ally of the United States.
- (2) In order to facilitate the implementation of the provisions of subsection (1) of this section, the one hundred twenty (120) day limitation in section 34-435, Idaho Code, shall be waived for the year 1987, in order to allow military registrations to be cancelled by the county clerk in calendar year 1987. (History: S.L. 1970, Ch. 140; S.L. 1987, Ch. 20; S.L. 2016; Ch. 359)

34-421. [Repealed - S.L. 1995, Ch. 215]

34-422. [Repealed - S.L. 1981, Ch. 255]

34-423. [Repealed - S.L. 1995, Ch. 215]

34-424 to 34-430. [Repealed - S.L. 1973, Ch. 123]

- **34-431.** Challenges of entries in election register. At the time of any election, any registered elector may challenge the entry of an elector's name as it appears in the election register. Such a challenge will be noted in the remarks column following the elector's name stating the reason, such as "died," "moved," or "incorrect address." The individual making the challenge shall sign his name following the entry. (History: S.L. 1970, Ch. 140)
- **34-432.** Correction of election register from challenges at election. (1) Within sixty (60) days after each election, the county clerk shall examine the election register and note the challenges as described in section 34-431, Idaho Code. The county clerk shall mail a written inquiry to the challenged elector at his mailing address as indicated on his registration card. Such inquiry shall state the nature of the challenge and provide a suitable form for reply.
- (2) Within twenty (20) days from date of mailing of the written inquiry the elector may, in person or in writing, state that the information on his registration card is correct. Upon receipt of such a statement or request the county clerk shall determine whether the information satisfies the challenge. If the county clerk determines that the challenge has not been satisfied, the county clerk shall schedule a hearing on the challenge and shall notify the elector of the place and time of the hearing. The hearing shall be held no later than twenty (20) days after notice is given. At the hearing, the challenged elector may present evidence of qualification. If the county clerk, upon the conclusion of the hearing, determines that the challenged elector's registration is not valid, the county clerk shall cancel the registration. If a challenged elector fails to make the statement or request in response to the inquiry, the county clerk shall cancel the registration.
- (3) The county clerk may make inquiry into the validity of any registration at any time. The inquiry shall proceed as provided in this section. (History: S.L. 1970, Ch. 140; S.L. 1982, Ch. 137; S.L. 1989, Ch. 146; S.L. 2006, Ch. 70)
- **34-433. Monthly correction of election register from reported deaths.** The state board of health shall, on or about the 25th day of each month, furnish to the secretary of state a listing showing the name, age, county of residence and residence address of each Idaho resident who has died during the preceding month. The secretary of state shall sort this list by county and furnish a copy of same to each county clerk. Each county clerk shall immediately cancel all registrations of individuals reported as deceased by the state board of health in the board's report to the secretary of state. (History: S.L. 1970, Ch. 140)

- **34-434.** Retention of notices and correspondence relating to correction of election registers. Copies of all notices and other correspondence issued pursuant to the directives contained in sections 67 and 68 of this act [34-432, 34-433, Idaho Code,] shall be retained by the county clerk for a period of two (2) years from date of mailing. (History: S.L. 1970, Ch. 140)
- 34-435. Cancellation of registrations following any general election of those not voting for four years. Within one hundred twenty (120) days following the date of the general election, the county clerk shall examine the election register and the signed statements of challenge made at that election. After this examination, the county clerk shall immediately cancel the registration of any elector who did not vote at any election in the past four (4) years.

This section shall be construed as to provide for a uniform four (4) year registration period for all electors. (History: S.L. 1970, Ch. 140; S.L. 1975, Ch. 124; S.L. 1977, Ch. 15; S.L. 1978, Ch. 27; S.L. 1995, Ch. 215; S.L. 2015, Ch. 282)

- 34-436. Retention of correspondence relating to cancellation of voter's registration. All correspondence relating to the cancellation of an elector's registration shall be preserved by the county clerk for a period of two (2) years following the time of any general election. (History: S.L. 1970, Ch. 140)
- **34-437.** Furnishing lists of registered electors Restrictions. (1) Each of the county clerks, upon receiving a request shall supply to any individual, a current list of the registered electors of the county and their addresses, arranged in groups according to election precincts. The county clerks shall prepare an original of the above list from the state voter registration system at county expense. Any person desiring a copy of the original list shall be furnished the same, and the county clerk shall assess the individual an amount which will compensate the county for the cost of reproducing such copy.
- (2) No person to whom a list of registered electors is made available or supplied under subsection (1) of this section and no person who acquires a list of registered electors prepared from such list shall use any information contained therein for the purpose of mailing or delivering any advertisement or offer for any property, establishment, organization, product, or service or for the purpose of mailing or delivering any solicitation for money, services, or anything of value. Provided however, that any such list and label may be used for any political purpose. (History: S.L. 1970, Ch. 140; S.L. 1972, Ch. 392; S.L. 1973, Ch. 304; S.L. 1976, Ch. 344; S.L. 1982, Ch. 137; S.L. 2003, Ch. 48)
- **34-437A. Statewide lists of registered electors.** (1) The secretary of state, in conjunction with county clerks, shall develop and implement a single, uniform official, centralized, interactive, computerized statewide voter registration system as required by the Help America Vote Act of 2002 (P.L. 107-252).
- (2) The statewide system shall contain the name and registration information of every legally registered voter in the state and assign a unique identifier to each legally registered voter in the state, and include the following:

- (a) The computerized list shall serve as the single system for storing and managing the official list of registered voters throughout the state.
- (b) The computerized list shall contain the name and registration information of every legally registered voter in the state.
- (c) Under the computerized list, a unique identifier shall be assigned to each legally registered voter in the state.
- (d) The computerized list shall be coordinated with other agency databases within the state
- (e) Any election official in the state, including any local election official, may obtain immediate electronic access to the information contained in the computerized list.
- (f) All voter registration information obtained by any local election official in the state shall be electronically entered into the computerized list on an expedited basis at the time the information is provided to the local official.
- (g) The secretary of state shall provide such support as may be required so that the local election officials are able to enter information as described in subsection (2) (f) of this section.
- (h) The computerized list shall serve as the official voter registration list for the conduct of all elections for federal office in the state.
- (3) Any person desiring a copy of the statewide list of registered electors shall be furnished the same, and the secretary of state shall assess the individual an amount which will compensate the state for the cost of reproducing such copy.

No person to whom a list of statewide electors is furnished and no person who acquires a list of statewide electors prepared from such list shall use any information contained therein for the purpose of mailing or delivering any advertisement or offer for any property, establishment, organization, product, or service or for the purpose of mailing or delivering any solicitation for money, services, or anything of value. Provided however that any such list and label may be used for any political purpose. (History: S.L. 1976, Ch. 344; S.L. 2003, Ch. 48)

34-437B. Furnishing lists of registered electors to school districts. Each of the county clerks, upon receiving a request therefor, not later than the thirtieth day prior to a school election, shall, not later than the seventh day prior to the election, supply to a requesting school board a list of registered electors, that are within the school district within which a school district election is to be held. The county clerk may assess the school board an amount which will compensate the county for the cost of preparing such a list. (History: S.L. 1987, Ch. 256; S.L. 1988, Ch. 71; S.L. 2006, Ch. 70)

34-438. [Repealed - S.L. 2003, Ch. 48]

34-439. Disclosures in elections to authorize bonded indebtedness.

(1) Notwithstanding any other provision of law, any taxing district that proposes to submit any question to the electors of the district that would authorize any bonded indebtedness shall provide a brief official statement setting forth in simple, understandable language information on the proposal substantially as follows:

- (a) The purpose for which the bonds are to be used including, but not necessarily limited to, a description of the facility and/or project that will be financed, in whole or in part, by the sale of the bonds; the date of the election; and the principal amount of the bonds to be issued;
- (b) The anticipated interest rate on the proposed bonds based upon current market rates and a maximum interest rate if a maximum is specified in the question to be submitted to electors;
- (c) The total amount to be repaid over the life of the bonds based on the anticipated interest. Such total shall reflect three (3) components: a total of the principal to be repaid; a total of the interest to be paid; and the sum of both;
- (d) The length of time, reflected in months or years, in which the proposed bonds will be paid off or retired; and
- (e) The total, existing indebtedness, including interest accrued, of the taxing district.
- (2) The official statement shall be made a part of the ballot prior to the location on the ballot where a person casts a vote and shall be included in the official notice of the election. (History: S.L. 2012, Ch. 200; S.L. 2015, Ch. 286)
- **34-439A.** Disclosures in elections to authorize levy. (1) Notwithstanding any other provision of law except for the provisions of section 63-802(1)(g), Idaho Code, any taxing district that proposes to submit any question to the electors of the district that would authorize any levy, except for the levies authorized for the purposes provided in sections 63-802(1)(g) and 33-802(4), Idaho Code, and except for levies relating to bonded indebtedness where section 34-439, Idaho Code, applies, shall include in the ballot question, or in a brief official statement on the ballot but separate from the ballot question, a disclosure setting forth in simple, understandable language information on the proposal substantially as follows:
- (a) The purpose for which the levy shall be used; the date of the election; and the dollar amount estimated to be collected each year from the levy; and
- (b) The length of time, reflected in months or years, in which the proposed levy will be assessed.
- (2) The information called for in subsection (1) of this section shall be placed prior to the location on the ballot where a person casts a vote and shall also be included in like manner in the official notice of the election. (History: S.L. 2012, Ch. 212; S.L. 2015, Ch. 282; S.L. 2015, Ch. 286; S.L. 2016, Ch. 47)

CHAPTER 5 POLITICAL PARTIES — ORGANIZATION

34-501. "Political party" defined — Procedures for creation of a political party. (1) A "political party" within the meaning of this act, is an organization of electors under a given name. A political party shall be deemed created and qualified to participate in elections in any of the following three (3) ways:

(a) By having three (3) or more candidates for state or national office listed under

the party name at the last general election, provided that those individuals seeking the office of president, vice president and president elector shall be considered one candidate, or

- (b) By polling at the last general election for any one of its candidates for state or national office at least three per cent (3%) of the aggregate vote cast for governor or for presidential electors.
 - (c) By an affiliation of electors who shall have signed a petition which shall:
 - (A) State the name of the proposed party in not more than six (6) words;
- (B) State that the subscribers thereto desire to place the proposed party on the ballot;
- (C) Have attached thereto a sheet or sheets containing the signatures of at least a number of qualified electors equal to two per cent (2%) of the aggregate vote cast for presidential electors in the state at the previous general election at which presidential electors were chosen;
- (D) Be filed with the secretary of state on or before August 30 of even numbered years;
- (E) The format of the signature petition sheets shall be prescribed by the secretary of state and shall be patterned after, but not limited to, such sheets as used for state initiative and referendum measures;
- (F) The petitions and signatures so submitted shall be verified in the manner prescribed in section 34-1807, Idaho Code.
- (G) The petition shall be circulated no earlier than August 30 of the year preceding the general election.
- (2) Upon certification by the secretary of state that the petition has met the requirements of this act such party shall, under the party name chosen, have all the rights of a political party whose ticket shall have been on the ballot at the preceding general election.

The newly certified party shall proceed to hold a state convention in the manner provided by law; provided, that at the initial convention of any such political party, all members of the party shall be entitled to attend the convention and participate in the election of officers and the nominations of candidates. Thereafter the conduct of any subsequent convention shall be as provided by law. (History: S.L. 1970, Ch. 140; S.L. 1971, Ch. 130; S.L. 1976, Ch. 344; S.L. 1978, Ch. 256; S.L. 1985, Ch. 42; S.L. 1987, Ch. 262)

34-502. County central committee — Members — Officers — Duties of chairman — Notice to chairman. The county central committee of each political party in each county shall consist of the precinct committeemen representing the precincts within the county and the county chairman elected by the precinct committeemen. The precinct committeemen within each county shall meet at the county seat within ten (10) days after the primary election and at the time and date designated by the incumbent county chairman, and shall organize by electing a chairman, vice chairman, a secretary, a state committeeman, a state committeewoman, and such other officers as they may desire who shall hold office at the pleasure of the county central committee or until their successors are elected.

Unless state party rules, adopted as provided in section 34-505, Idaho Code, provide otherwise, when a vacancy exists in the office of county central committee chairman, it shall be the duty of the state central committee chairman to call a meeting of the precinct committeemen of the county, and the precinct committeemen shall proceed to elect a chairman of the county central committee for the balance of the unexpired term.

The county central committee shall fill by appointment all vacancies that occur or exist in the office of precinct committeeman who shall be a qualified elector of the precinct.

The county clerk shall deliver in writing to the chairman of the county central committee of each political party on or before January 20 of each year in which a general election is to be held, a list of the election precincts in the county and the names and addresses of the precinct committeemen who were elected at the last primary election, or who have since been appointed as precinct committeemen, as such election or appointment is shown on the records of the county clerk. If the county clerk has no record of precinct committeemen, he shall in writing, so inform the chairman of the county central committee.

The chairman of the county central committee shall on or before February 1 of each year in which a general election is to be held, and at such other times as changes occur, certify to the county clerk the names and addresses of the precinct committeemen of his political party. (History: S.L. 1970, Ch. 140; S.L. 1975, Ch. 21; S.L. 1976, Ch. 351; S.L. 2011, Ch. 285)

34-503. Legislative district central committee — Membership — Officers. The legislative district central committee of each political party in each legislative district shall consist of the precinct committeemen representing the precincts within the legislative district, and the legislative district chairman elected by the precinct committeemen. The precinct committeemen within each legislative district shall meet within the legislative district or at a convenient location in a legislative district contiguous to the legislative district, or at a convenient location in a county in which any portion of the legislative district sits, within eleven (11) days after the primary election, the meeting time and place to be designated by the incumbent legislative district chairman. At this meeting the precinct committeemen shall organize by electing a chairman, vice chairman, a secretary and such other officers as they may desire, who shall hold office at the pleasure of the legislative district central committee or until their successors are elected.

Unless state party rules, adopted as provided in section 34-506, Idaho Code, provide otherwise, when a vacancy exists in the office of legislative district central committee chairman, it shall be the duty of the state central committee chairman to call a meeting of the precinct committeemen of the legislative district, and the precinct committeemen shall proceed to elect a chairman of the legislative district central committee for the balance of the unexpired term. (History: S.L. 1970, Ch. 140; S.L. 1976, Ch. 351; S.L. 2006, Ch. 397)

34-504. State central committee — **Membership.** The state central committee of each political party shall consist of all legislative district chairmen, all county central committee chairmen, all state committeemen, and state committeewomen selected by the county central committees. Each of the above members of the state central committee shall be entitled to vote at all meetings of the state central committee. (History: S.L. 1970, Ch. 140)

34-504A. [Repealed - S.L. 1970, Ch. 140]

- **34-505.** Powers and duties of county central committee. The county central committee shall have all the powers and duties prescribed by state law and rules and regulations promulgated and adopted by the state conventions or the state central committee. (History: S.L. 1970, Ch. 140)
- **34-506.** Powers and duties of legislative district central committee. The legislative district central committee shall have all the powers and duties prescribed by state law and rules and regulations promulgated and adopted by the state conventions or the state central committee. (History: S.L. 1970, Ch. 140)
- **34-507. Selection of delegates to the state convention.** The delegates to the state convention of each political party shall be selected in the manner prescribed by rules and regulations promulgated and adopted by the state central committee. (History: S.L. 1970, Ch. 140; S.L. 1971, 1st E.S., Ch. 9)

CHAPTER 6 TIME OF ELECTIONS OFFICERS ELECTED

- **34-601. Dates on which elections shall be held.** Elections shall be held in this state on the following dates or times:
- (1) A primary election shall be held on the third Tuesday in May, 2012, and every two (2) years thereafter on the above-mentioned Tuesday.
- (2) A general election shall be held on the first Tuesday after the first Monday of November, 2012, and every two (2) years thereafter on the above-mentioned Tuesday.
- (3) Special state elections shall be held on the dates ordered by the governor's proclamation, or as otherwise provided by law.
- (4) A presidential primary shall be held on the second Tuesday in March in each presidential election year. (History: S.L. 1970, Ch. 140; S.L. 1971, Ch. 193; S.L. 1975, Ch. 174; S.L. 1979, Ch. 309; S.L. 2009, Ch. 341; S.L. 2012, Ch. 33 S.L. 2015, Ch. 292)
- 34-602. Publication of notices for primary, general or special elections Contents. The several county clerks shall publish at least two (2) times, the notices for any primary, general or special election. The notice shall state the date of the election, the polling place in each precinct and the hours during which the polls shall be open for the purpose of voting, and information about the accessibility of the polling places.

The first notice shall be published at least twelve (12) days prior to any election and

the second notice shall be published not later than five (5) days prior to the election. The notice of election shall be published in at least two (2) newspapers published within the county, but if this is not possible, the notice shall be published in one (1) newspaper published within the county or a newspaper which has general circulation within the county.

The second notice of election shall be accompanied by a facsimile, except as to size, of the sample ballot for the election. (History: S.L. 1970, Ch. 140; S.L. 2004, Ch. 112; S.L. 2009, Ch. 341)

- **34-603.** Certification of a proposed constitution, constitutional amendment or other question to be submitted to the people for vote. Whenever a proposed constitution, constitutional amendment or other question is to be submitted to the people of the state for popular vote, it shall be certified by the secretary of state to the county clerks not later than September 7 in the year in which it will be voted upon. It shall be published in the form prescribed by the secretary of state. (History: S.L. 1970, Ch. 140; S.L. 1973, Ch. 304; S.L. 1984, Ch. 131; S.L. 1985, Ch. 42)
- **34-604.** Election of United States Senator Qualifications. (1) At the general election, 1972, and every six (6) years thereafter, there shall be elected one (1) United States senator. At the general election, 1974, and every six (6) years thereafter, there shall be elected one (1) United States senator.
- (2) No person shall be elected to the office of United States senator unless he has attained the age of thirty (30) years at the time of his election, has been a citizen of the United States at least nine (9) years and shall reside within the state at the time of his election.
- (3) Each candidate shall file his declaration of candidacy with the secretary of state.
- (4) Each candidate who files a declaration of candidacy shall at the same time pay a filing fee of five hundred dollars (\$500) which shall be deposited in the general fund. (History: S.L. 1970, Ch. 140; S.L. 1996, Ch. 28)
- **34-605.** Election of United States Congressional Representatives Qualifications. (1) At the general election, 1972, and every alternate year thereafter, there shall be elected in each United States congressional district a member of the United States house of representatives and any additional number of representatives to which the state may be entitled in the state at large.
- (2) No person shall be elected to the house of representatives unless he has attained the age of twenty-five (25) years at the time of his election, has been a citizen of the United States at least seven (7) years and shall reside within the state at the time of his election.
- (3) Each candidate shall file his declaration of candidacy with the secretary of state.
- (4) Each candidate who files a declaration of candidacy shall at the same time pay a filing fee of three hundred dollars (\$300) which shall be deposited in the general fund. (History: S.L. 1970, Ch. 140; S.L. 1983, Ch. 213; S.L. 1996, Ch. 28)

- **34-606.** Election of presidential electors. (1) At the general election, 1972, and every four (4) years thereafter, there shall be elected such a number of electors of president and vice president of the United States as the state may be entitled to in the electoral college.
- (2) No person shall be elected to this position unless he has attained the age of twenty-one (21) years at the time of the election, is a citizen of the United States and shall have resided within the state two (2) years next preceding his election.
- (3) Such electors shall be certified to the secretary of state as provided for by law. (History: S.L. 1970, Ch. 140)
- **34-607.** Election of Governor Qualifications. (1) At the general election, 1974, and every four (4) years thereafter, a governor shall be elected.
- (2) No person shall be elected to the office of governor unless he shall have attained the age of thirty (30) years at the time of his election, is a citizen of the United States and shall have resided within the state two (2) years next preceding his election.
- (3) Each candidate shall file his declaration of candidacy with the secretary of state.
- (4) Each candidate who files a declaration of candidacy shall at the same time pay a filing fee of three hundred dollars (\$300) which shall be deposited in the general fund. (History: S.L. 1970, Ch. 140; S.L. 1996, Ch. 28)
- **34-608.** Election of Lieutenant Governor Qualifications. (1) At the general election, 1974, and every four (4) years thereafter, there shall be elected a lieutenant governor.
- (2) No person shall be elected to the office of lieutenant governor unless he shall have attained the age of thirty (30) years at the time of his election, is a citizen of the United States and shall have resided within the state two (2) years next preceding his election
- (3) Each candidate shall file his declaration of candidacy with the secretary of state.
- (4) Each candidate who files a declaration of candidacy shall at the same time pay a filing fee of two hundred dollars (\$200) which shall be deposited in the general fund. (History: S.L. 1970, Ch. 140; S.L. 1996, Ch. 28)
- **34-609.** Election of Secretary of State Qualifications. (1) At the general election, 1974, and every four (4) years thereafter, a secretary of state shall be elected.
- (2) No person shall be elected to the office of secretary of state unless he shall have attained the age of twenty-five (25) years at the time of his election, is a citizen of the United States and shall have resided within the state two (2) years next preceding his election.
- (3) Each candidate shall file his declaration of candidacy with the secretary of state.
- (4) Each candidate who files a declaration of candidacy shall at the same time pay a filing fee of two hundred dollars (\$200) which shall be deposited in the general account. (History: S.L. 1970, Ch. 140; S.L. 1996, Ch. 28)

- **34-610.** Election of State Controller Qualifications. (1) At the general election, 1974, and every four (4) years thereafter, a state controller shall be elected.
- (2) No person shall be elected to the office of state controller unless he shall have attained the age of twenty-five (25) years at the time of his election, is a citizen of the United States and shall have resided within the state two (2) years next preceding his election
- (3) Each candidate shall file his declaration of candidacy with the secretary of state.
- (4) Each candidate who files a declaration of candidacy shall at the same time pay a filing fee of two hundred dollars (\$200) which shall be deposited in the general fund. (History: S.L. 1970, Ch. 140; S.L. 1994, Ch. 181; S.L. 1996, Ch. 28)
- **34-611. Election of State Treasurer Qualifications.** (1) At the general election, 1974, and every four (4) years thereafter, a state treasurer shall be elected.
- (2) No person shall be elected to the office of state treasurer unless he shall have attained the age of twenty-five (25) years at the time of his election, is a citizen of the United States and shall have resided within the state two (2) years next preceding his election.
- (3) Each candidate shall file his declaration of candidacy with the secretary of state.
- (4) Each candidate who files a declaration of candidacy shall at the same time pay a filing fee of two hundred dollars (\$200) which shall be deposited in the general fund. (History: S.L. 1970, Ch. 140; S.L. 1996, Ch. 28)
- **34-612. Election of Attorney General Qualifications.** (1) At the general election, 1974, and every four (4) years thereafter, an attorney general shall be elected.
- (2) No person shall be elected to the office of attorney general unless he shall have attained the age of thirty (30) years at the time of his election, is admitted to the practice of law within the state, is a citizen of the United States and shall have resided within the state two (2) years next preceding his election.
- (3) Each candidate shall file his declaration of candidacy with the secretary of state.
- (4) Each candidate who files a declaration of candidacy shall at the same time pay a filing fee of two hundred dollars (\$200) which shall be deposited in the general fund. (History: S.L. 1970, Ch. 140; S.L. 1996, Ch. 28)

34-612A - 34-612D. [Repealed - S.L. 1970, Ch. 140]

34-613. Election of Superintendent of Public Instruction — Qualifications.

- (1) At the general election, 1974, and every four (4) years thereafter, a superintendent of public instruction shall be elected.
- (2) No person shall be elected to the office of superintendent of public instruction unless he shall have attained the age of twenty-five (25) years at the time of his election; is a citizen of the United States; has a bachelor's degree from an accredited college or university, and shall have resided within the state two (2) years next preceding his election.

- (3) Each candidate shall file his declaration of candidacy with the secretary of state.
- (4) Each candidate who files a declaration of candidacy shall at the same time pay a filing fee of two hundred dollars (\$200) which shall be deposited in the general fund. (History: S.L. 1970, Ch. 140; S.L. 1974, Ch. 182; S.L. 1994, Ch. 277; S.L. 1996, Ch. 28)
- **34-614.** Election of State Representatives and Senators Qualifications. (1) At the general election, 1972, and every alternate year thereafter, there shall be elected in each legislative district such representatives and senators as they may be severally entitled.
- (2) No person shall be elected to the office of representative or senator unless he shall have attained the age of twenty-one (21) years at the time of the general election, is a citizen of the United States and shall have resided within the legislative district one (1) year next preceding the general election at which he offers his candidacy.
- (3) Each candidate shall file his declaration of candidacy with the secretary of state.
- (4) Each candidate who files a declaration of candidacy shall at the same time pay a filing fee of thirty (\$30) dollars which shall be deposited in the general fund. (History: S.L. 1970, Ch. 140; S.L. 1981, 1st E.S., Ch. 2; S.L. 1996, Ch. 28)
- **34-614A.** Candidates for state legislature. (1) A candidate for the office of state senator in a multi-member legislative district, and all candidates for the office of representative shall declare, in their declarations of candidacy, the specific seat or position that they seek.
- (2) The secretary of state shall designate positions by using the terms "Position A", "Position B", and continuing in such fashion until all seats or positions in each district are properly labeled. The positions in each district shall be separately and distinctly placed on the primary and general election ballots, and for each position to be filled the ballot shall state "Vote for one".
- (3) The candidate receiving the greatest number of votes for the position he seeks shall be declared nominated, or elected, as the case may be. (History: S.L. 1975, Ch. 230; S.L. 1984, Ch. 121)
- 34-615. Election Selection of Justices of the Supreme Court Qualifications. (1) At the primary election, 1972, and every alternate year thereafter, subject to the provisions of section 34-1217, Idaho Code, there shall be elected justices of the supreme court to fill any vacancy or vacancies occasioned by the expiration of the term or terms of office of any member or members.
- (2) To be elected or appointed to the office of justice of the supreme court a person must, at the time of such election or appointment, meet all of the following qualifications:
 - (a) Be at least thirty (30) years of age;
 - (b) Be a citizen of the United States and an elector of the state of Idaho;
 - (c) Have been a legal resident of the state of Idaho for at least two (2) continuous years immediately preceding such election or appointment;

- (d) Have been in good standing as an active or judicial member of the Idaho state bar for at least two (2) continuous years immediately preceding such election or appointment; and
- (e) Have held a license to practice law or held a judicial office in one (1) or more jurisdictions for at least ten (10) continuous years immediately preceding such election or appointment.

For purposes of this section, the following terms have the following meanings:

- (a) "Active," "judicial" and "good standing" have the same definitions as those terms are given by rule 301 of the Idaho bar commission rules or any successors to those rules;
- (b) "Jurisdiction" means a state or territory of the United States, the District of Columbia or any branch of the United States military; and
- (c) "Elector" means one who is lawfully registered to vote.
- (3) Each candidate for election shall file a declaration of candidacy with the secretary of state.
- (4) Each candidate who files a declaration of candidacy shall at the same time pay a filing fee of three hundred dollars (\$300) which shall be deposited in the general fund. (History: S.L. 1970, Ch. 140; S.L. 1972, Ch. 46; S.L. 1985, Ch. 29; S.L. 1996, Ch. 28; S.L. 2015, Ch. 310)
- **34-616.** Election Selection of District Judges Qualifications. (1) At the primary election, 1974, and every four (4) years thereafter, subject to the provisions of section 34-1217, Idaho Code, there shall be elected in each judicial district a sufficient number of district judges to fill any vacancy or vacancies occasioned by the expiration of the term or terms of office of any member or members.
- (2) To be elected to the office of district judge a person must, at the time of such election, meet all of the following qualifications:
 - (a) Be at least thirty (30) years of age;
 - (b) Be a citizen of the United States and an elector in the judicial district in which elected:
 - (c) Have been a legal resident of the state of Idaho for at least two (2) continuous years immediately preceding such election;
 - (d) Have been in good standing as an active or judicial member of the Idaho state bar for at least two (2) continuous years immediately preceding such election; and
 - (e) Have held a license to practice law or held a judicial office in one (1) or more jurisdictions for at least ten (10) continuous years immediately preceding such election.
- (3) Each candidate for election shall file a declaration of candidacy with the secretary of state.
- (4) Each candidate who files a declaration of candidacy shall at the same time pay a filing fee of one hundred fifty dollars (\$150) which shall be deposited in the general fund.
- (5) To be appointed to the office of district judge a person must, at the time of such appointment, meet all of the following qualifications:
 - (a) Be at least thirty (30) years of age;
 - (b) Be a citizen of the United States and an elector of the state of Idaho;

- (c) Have been a legal resident of the state of Idaho for at least two (2) continuous years immediately preceding such appointment;
- (d) Have been in good standing as an active or judicial member of the Idaho state bar for at least two (2) continuous years immediately preceding such appointment; and
- (e) Have held a license to practice law or held a judicial office in one (1) or more jurisdictions for at least ten (10) continuous years immediately preceding such appointment.
- (6) For purposes of this section, the following terms have the following meanings:
- (a) "Active," "judicial" and "good standing" have the same definitions as those terms are given by rule 301 of the Idaho bar commission rules or any successors to those rules:
- (b) "Jurisdiction" means a state or territory of the United States, the District of Columbia or any branch of the United States military; and
- (c) "Elector" means one who is lawfully registered to vote. (History: S.L. 1970, Ch. 140; S.L. 1972, Ch. 46; S.L. 1985, Ch. 29; S.L. 1996, Ch. 28; S.L. 2015, Ch. 282; S.L. 2015, Ch. 310; S.L. 2016, Ch. 47)
- **34-617.** Election of County Commissioners Qualifications. (1) A board of county commissioners shall be elected in each county at the general elections as provided by section 31-703, Idaho Code.
- (2) No person shall be elected to the board of county commissioners unless he has attained the age of twenty-one (21) years at the time of the election, is a citizen of the United States, and shall have resided in the county one (1) year next preceding his election and in the district which he represents for a period of ninety (90) days next preceding the primary election.
 - (3) Each candidate shall file his declaration of candidacy with the county clerk.
- (4) Each candidate who files a declaration of candidacy shall at the same time pay a filing fee of forty dollars (\$40.00) which shall be deposited in the county treasury. (History: S.L. 1970, Ch. 140; S.L. 1982, Ch. 332; S.L. 1993, Ch. 159; S.L. 1996, Ch. 28)
- **34-618. Election of County Sheriffs Qualifications.** (1) At the general election, 1972, and every four (4) years thereafter, a sheriff shall be elected in every county.
- (2) No person shall be elected to the office of sheriff unless he has attained the age of twenty-one (21) years at the time of election, is a citizen of the United States and shall have resided within the county one (1) year next preceding his election.
 - (3) Each candidate shall file his declaration of candidacy with the county clerk.
- (4) Each candidate who files a declaration of candidacy shall at the same time pay a filing fee of forty dollars (\$40.00) which shall be deposited in the county treasury.
- (5) Each person who has been elected to the office of sheriff for the first time shall complete a tutorial concerning current Idaho law and rules as prescribed by the Idaho peace officers standards and training academy, unless the person is already certified as a chief of police, peace officer or detention deputy in the state of Idaho, and shall attend the newly elected sheriffs' school sponsored by the Idaho sheriffs' association. (History: S.L. 1970, Ch. 140; S.L. 1996, Ch. 28; S.L. 2008, Ch. 329)

- **34-619.** Election of Clerks of District Court Qualifications. (1) At the general election, 1974, and every four (4) years thereafter, a clerk of the district court shall be elected in every county. The clerk of the district court shall be the ex-officio auditor and recorder.
- (2) No person shall be elected to the office of clerk of the district court unless he has attained the age of twenty-one (21) years at the time of his election, is a citizen of the United States and shall have resided within the county one (1) year next preceding his election.
 - (3) Each candidate shall file his declaration of candidacy with the county clerk.
- (4) Each candidate who files a declaration of candidacy shall at the same time pay a filing fee of forty dollars (\$40.00) which shall be deposited in the county treasury. (History: S.L. 1970, Ch. 140; S.L. 1996, Ch. 28)
- **34-620.** Election of County Treasurers Qualifications. (1) At the general election, 1974, and every four (4) years thereafter, a county treasurer shall be elected in every county. The county treasurer shall be the ex-officio public administrator and ex-officio tax collector.
- (2) No person shall be elected to the office of county treasurer unless he has attained the age of twenty-one (21) years at the time of his election, is a citizen of the United States and shall have resided within the county one (1) year next preceding his election.
 - (3) Each candidate shall file his declaration of candidacy with the county clerk.
- (4) Each candidate who files a declaration of candidacy shall at the same time pay a filing fee of forty dollars (\$40.00) which shall be deposited in the county treasury. (History: S.L. 1970, Ch. 140; S.L. 1971, Ch. 193; S.L. 1996, Ch. 28)
- **34-621.** Election of County Assessors Qualifications. (1) At the general election, 1974, and every four (4) years thereafter, a county assessor shall be elected in every county.
- (2) No person shall be elected to the office of county assessor unless he has attained the age of twenty-one (21) years at the time of his election, is a citizen of the United States and shall have resided within the county one (1) year next preceding his election.
 - (3) Each candidate shall file his declaration of candidacy with the county clerk.
- (4) Each candidate who files a declaration of candidacy shall at the same time pay a filing fee of forty dollars (\$40.00) which shall be deposited in the county treasury. (History: S.L. 1970, Ch. 140; S.L. 1971, Ch. 193; S.L. 1996, Ch. 28)
- **34-622.** Election of County Coroners Qualifications. (1) At the general election, 1986, and every four (4) years thereafter, a county coroner shall be elected in every county.
- (2) No person shall be elected to the office of county coroner unless he has attained the age of twenty-one (21) years at the time of his election, is a citizen of the United States and shall have resided within the county one (1) year next preceding his election.
 - (3) Each candidate shall file his declaration of candidacy with the county clerk.
 - (4) Each candidate who files a declaration of candidacy shall at the same time pay

- a filing fee of forty dollars (\$40.00) which shall be deposited in the county treasury.
- (5) All newly elected or appointed county coroners shall attend a coroner's school within one (1) year of taking office. Such school shall be sponsored or endorsed by the Idaho state association of county coroners. (History: S.L. 1970, Ch. 140; S.L. 1994, Ch. 54; S.L. 1996, Ch. 28; S.L. 2010, Ch. 355)
- **34-623.** Election of County Prosecuting Attorneys Qualifications. (1) At the general election, 1984, and every four (4) years thereafter, a prosecuting attorney shall be elected in every county.
- (2) No person shall be elected to the office of prosecuting attorney unless he has attained the age of twenty-one (21) years at the time of his election, is admitted to the practice of law within this state, is a citizen of the United States and a qualified elector within the county.
 - (3) Each candidate shall file his declaration of candidacy with the county clerk.
- (4) Each candidate who files a declaration of candidacy shall at the same time pay a filing fee of forty dollars (\$40.00) which shall be deposited in the county treasury. (History: S.L. 1970, Ch. 140; S.L. 1972, Ch. 115; S.L. 1984, Ch. 80; S.L. 1996, Ch. 28)
- **34-624.** Election of Precinct Committeemen Qualifications. (1) At the primary election, 1980, and every two (2) years thereafter, a precinct committeeman for each political party shall be elected in every voting precinct within each county. The term of office of a precinct committeeman shall be from the eighth day following the primary election until the eighth day following the next succeeding primary election.
- (2) No person shall be elected to the office of precinct committeeman unless he has attained the age of eighteen (18) years at the time of his election, is a citizen of the United States, a registered elector of and shall have resided within the voting precinct for a period of six (6) months next preceding his election.
 - (3) Each candidate shall file a declaration of candidacy with the county clerk.
- (4) No filing fee shall be charged any candidate at the time of his filing his declaration of candidacy. (History: S.L. 1970, Ch. 140; S.L. 1971, Ch. 29; S.L. 1972, Ch. 128; S.L. 1975, Ch. 174; S.L. 1979, Ch. 309; S.L. 1996, Ch. 28; S.L. 2011, Ch. 285)
- **34-624A.** Alternative to precinct committeeman Precinct committeeman and voters' delegate to the party's county and district conventions. (1) At least sixty (60) days prior to an election at which precinct committeemen are to be elected, the state chairman of any Idaho political party may request the secretary of state to replace, as to that party chairman's party, the ballot position title of "precinct committeeman" with the ballot position title "precinct committeeman and voters' delegate to the party's county and district conventions." The party chairman making such a request to the secretary of state shall include with his request a sworn and acknowledged affidavit stating that he is the party chairman for his political party and that it is the state policy of his party that precinct committeemen be delegates to the party's county and district conventions.
- (2) Upon receipt of such request and affidavit, the secretary of state shall have the duty to implement the request when prescribing the form and content of ballots and

related documents and when preparing ballot instructions for Idaho counties.

- (3) After the secretary of state has ordered such use, whenever the title "precinct committeeman" or its plural form shall be used in the Idaho Code, the title shall be construed to include within its meaning the title "precinct committeeman and voters' delegate to the party's county and district conventions" or its plural form. (History: S.L. 1976, Ch. 346)
- 34-625. Election of highway district commissioners in single countywide districts Qualifications. (1) In each general election, highway district commissioners in single countywide districts shall be elected as provided for in section 40-1404, Idaho Code.
- (2) No person shall be elected to the office of highway district commissioner unless he shall have attained the age of twenty-one (21) years at the time of his election, is a citizen of the United States, and shall be a resident of the highway district commissioner's subdistrict for which he seeks office.
- (3) Each candidate shall file a declaration of candidacy with the county clerk not less than ninety (90) days prior to the general election. Each declaration of candidacy shall also bear the following words: "I am a resident within the boundaries of Highway District Commissioner's Subdistrict Number"
- (4) Each candidate who files a declaration of candidacy shall at the same time pay a filing fee of ten dollars (\$10.00) which shall be deposited in the county current expense fund. (History: S.L. 1972, Ch. 345; S.L. 1985, Ch. 253; S.L. 1987, Ch. 75; S.L. 1998, Ch. 300; S.L. 2007, Ch. 313)
- 34-625A. Election of Highway District Commissioners in certain single countywide districts qualifications. (1) In each general election, highway district commissioners in single countywide districts shall be elected as provided for in section 40-1404A, Idaho Code.
- (2) No person shall be elected to the office of highway district commissioner unless he shall have attained the age of twenty-one (21) years at the time of his election, is a citizen of the United States, and shall be a resident of the highway district commissioner's subdistrict for which he seeks office.
- (3) Each candidate shall file a declaration of candidacy with the county clerk not less than ninety (90) days prior to the general election. Each declaration of candidacy shall also bear the following words: "I am a resident within the boundaries of Highway District Commissioner's Subdistrict Number"
- (4) Each candidate who files a declaration of candidacy shall at the same time pay a filing fee of ten dollars (\$10.00) which shall be deposited in the county current expense fund. (History: S.L. 1998, Ch. 300; S.L. 2007, Ch. 313)
- **34-626. Petition in lieu of filing fee.** In lieu of paying the filing fee, candidates may qualify for the offices mentioned in Section 34-604 through Section 34-623, Idaho Code, by filing a declaration of candidacy and a nominating petition. The petition shall contain the signatures of qualified electors as follows:
 - (a) One thousand (1,000) for any statewide office;

- (b) Five hundred (500) for any congressional district office (all signatures within proper district);
- (c) Two hundred (200) for the office of district judge (all signatures within proper district);
- (d) Fifty (50) for any legislative district office (all signatures within proper district);
- (e) Five (5) for any county office (County Commissioner signatures shall be within commissioner district).

Signatures on such nominating petitions shall be verified in the manner prescribed in section 34-1807, Idaho Code. (History: S.L. 1983, Ch. 213; S.L. 1986, Ch. 183; S.L. 1996, Ch. 28)

34-627. Holders of partisan elective office changing political parties. Whenever any holder of a partisan elective office desires to change political parties, the change shall only be effective if the holder files a declaration of intent to change political parties with the election official with whom the holder of the partisan elective office has filed his declaration of candidacy for the office that the holder of the partisan elective office currently holds. The party change shall be official five (5) calendar days after receipt of the declaration of intent provided in this section by the election official. After receiving the declaration of intent, the election official shall send a copy of the declaration to the affected political party central committees of both the political party, if any, that the holder of the partisan elective office desires to leave and the political party, if any, that the holder of the partisan elective office desires to join. A holder of a partisan elective office cannot change political parties between the date the holder of partisan elective office files for the primary election through three (3) months after the general election in which the partisan elective office was on the ballot. A holder of a partisan elective office only may change political parties pursuant to this section once per term. The election official shall be authorized to charge a holder of a partisan elective office desiring to change his political party a twenty-five dollar (\$25.00) fee to defray the election official's expenses in administering the provisions of this section. (History: S.L. 1997, Ch. 202)

CHAPTER 7 NOMINATIONS—CONVENTIONS—PRIMARY ELECTIONS

- **34-701.** Declarations of candidacy and petitions Form prescribed by secretary of state Filing fees. (1) The secretary of state shall prescribe the form for all declarations of candidacy and petitions required to be filed for any office. This form shall be uniform throughout the state; provided, however, that a candidate for judicial office must designate the particular office that he seeks, both in his petitions and declaration of candidacy.
- (2) All filing fees shall be paid in cash, cashier's check, postal money orders, or personal check. (History: S.L. 1970, Ch. 140; S.L. 1983, Ch. 213)

- **34-702.** Requirements for Write-in Candidates at Primary. In addition to possessing all other qualifications, in order to become a candidate of a political party at the general election, those candidates whose names are written in at the primary election must receive at least the following number of write-in votes at the primary election:
 - (1) One thousand (1,000) for any statewide office;
 - (2) Five hundred (500) for a congressional district office;
 - (3) Fifty (50) for a legislative district office;
 - (4) Five (5) for a county office,

file a declaration of candidacy for that office, and must pay the filing fee required for that office within ten (10) days following the primary election canvass; provided, however, that no write-ins shall be allowed for judicial office. (History: S.L. 1970, Ch. 140; S.L. 1976, Ch. 60; S.L. 1996, Ch. 28)

34-702A. Declaration of intent for write-in candidates. No write-in vote for any office in a primary, special, or general election shall be counted unless a declaration of intent has been filed indicating that the person desires the office and is legally qualified to assume the duties of said office if elected. The declaration of intent shall be filed with the secretary of state if for a federal, state, or legislative district office and with the county clerk if for a county office. Such declaration of intent shall be filed not later than twenty-eight (28) days before the day of election. The secretary of state shall prescribe the form for said declaration.

In those counties which utilize optical scan ballots an elector shall not place on the ballot a sticker bearing the name of a person, or use any other method or device, except writing, to vote for a person whose name is not printed on the ballot. (History: S.L. 1983, Ch. 213; S.L. 1992, Ch. 176; S.L. 1993, Ch. 313; S.L. 1999, Ch. 221; S.L. 2001, Ch. 272; S.L. 2010, Ch. 162)

- **34-703. Nomination at primary.** (1) All political party candidates for United States senator and representative in congress and all political party candidates for elective state, district and county offices, except candidates for judicial office, at general elections shall be nominated at the primary elections, or shall have their names placed on the general election ballot as provided by law, and shall comply with the provisions of this act.
- (2) All candidates for judicial office shall be nominated or elected at the primary election, as provided by section 34-1217, Idaho Code.
- (3) Independent candidates shall not be voted on at primary elections. (History: S.L. 1970, Ch. 140; S.L. 1972, Ch. 46; S.L. 1976, Ch. 60)
- **34-704. Declaration of candidacy.** Any person legally qualified to hold such office is entitled to become a candidate and file his declaration of candidacy. Each political party candidate for precinct, state, district or county office shall file his declaration of candidacy in the proper office between 8 a.m., on the twelfth Monday preceding the primary election and 5 p.m., on the tenth Friday preceding the primary election. All political party candidates shall declare their party affiliation in their declaration of candidacy and shall be affiliated with a party at the time of filing. A candidate shall be deemed affiliated with the political party if the candidate submits a party affiliation

form along with the declaration of candidacy to the filing official. The filing official shall reject any declaration of candidacy for partisan office in a primary election from candidates who are not affiliated with a political party. Candidates for nonpartisan office shall file during the period provided for in this section.

Candidates who file a declaration of candidacy under a party name and are not nominated at the primary election shall not be allowed to appear on the general election ballot under any other political party name, nor as an independent candidate. Independent candidates shall file their declaration of candidacy in the manner provided in section 34-708, Idaho Code. (History: S.L. 1971, Ch. 5; S.L. 1971, Ch. 188; S.L. 1972, Ch. 46; S.L. 1972, Ch. 346; S.L. 1975, Ch. 174; S.L. 1976, Ch. 60; S.L. 1979, Ch. 309; S.L. 1983, Ch. 213; S.L. 1984, Ch. 8; S.L. 1984, Ch. 173; S.L. 1989, Ch. 70; S.L. 2003, Ch. 48; S.L. 2012, Ch. 211)

34-705. With whom declarations filed. All candidates for county offices, whether political party candidates or independent candidates, and all political party candidates for precinct offices shall file their declarations of candidacy with the county clerk of their respective counties. All candidates for district, state and federal offices shall file their declarations of candidacy with the secretary of state.

The secretary of state, shall certify to the county clerks, within ten (10) days after the filing deadline, the names of the political party candidates who filed for federal, state and district offices and are qualified and by not later than the tenth day prior to the primary shall certify the names of political party candidates who have been appointed by central committees to fill vacancies as provided by section 34-714, Idaho Code. (History: S.L. 1971, Ch. 5; S.L. 1971, E.S., Ch. 9; S.L. 1976, Ch. 60)

34-706. Notification to parties. Within three (3) days after the deadline for filing declarations of political party candidacy the county clerk shall notify the county central committee of each political party of the candidates who have filed for county and precinct offices under the party name and are qualified.

Within three (3) days after the deadline for filing declarations of political party candidacy the secretary of state shall notify the legislative district central committee of each political party of the legislative candidates who have filed under the party name and are qualified.

Within three (3) days after the deadline for filing declarations of political party candidacy the secretary of state shall notify the state central committee of each political party of the candidates who have filed for federal and state offices under the party name and are qualified. (History: S.L. 1971, Ch. 5; S.L. 1971, Ch. 188; S.L. 1971, 1st E.S., Ch. 9; S.L. 1976, Ch. 60; S.L. 1989, Ch. 70)

34-707. Party conventions. A state convention shall be held by each political party in each election year at a time and place determined by the state central committee. The state central committee chairman shall preside and cause notice to be given to each legislative district central committee and each county central committee at the earliest possible date.

Each state convention shall write and adopt rules and regulations governing the

conduct of their respective conventions.

- At their convention each political party may:
- (1) Adopt and write a party platform.
- (2) Elect any desired officers not otherwise provided for by law.
- (3) In the year of presidential elections (a) elect delegates to the national convention in the manner prescribed by national party rules; (b) elect a national committeeman and a national committeewoman; and (c) select presidential electors.
- (4) Adopt rules, regulations and directives regarding party policies, practices and procedures. (History: S.L. 1970, Ch. 140; S.L. 1971, Ch. 5; S.L. 1971, 1st E.S., Ch. 9; S.L. 1972, Ch. 346; S.L. 1973, Ch. 122; S.L. 1980, Ch. 236; S.L. 2003; S.L. 94)
- **34-708. Independent Candidates.** (1) No person may offer himself as an independent candidate at the primary election.
- (2) Any person who desires to offer himself as an independent candidate for federal, state, district, or county office may do so by complying strictly with the provisions of this section. In order to be recognized as an independent candidate, each such candidate must file with the proper officer as provided by section 34-705, Idaho Code, a declaration of candidacy as an independent candidate, during the period specified in section 34-704, Idaho Code. Such declaration must state that he is offering himself as an independent candidate, must declare that he has no political party affiliation, and must declare the office for which he seeks election. Each such declaration must be accompanied by a petition containing the following number of signatures of qualified electors:
 - (a) One thousand (1,000) for any statewide office;
 - (b) Five hundred (500) for any congressional district office;
 - (c) Fifty (50) for any legislative district office;
 - (d) Five (5) for any county office.
- (3) Signatures on the petitions required in this section shall be verified in the manner prescribed in Section 34-1807, Idaho Code.
- (4) If all of the requirements of this section have been met, the proper officer shall cause the name of each independent candidate who has qualified to be placed on the general election ballot, according to instructions of the secretary of state. (History: S.L. 1976, Ch. 60; S.L. 1979, Ch. 309; S.L. 1995, Ch. 115; S.L. 1996, Ch. 28; S.L. 2003, Ch. 293)
- **34-708A.** Independent candidates for president and vice-president. Persons who desire to be independent candidates for the offices of president and vice-president, must file, prior to August 25 of the election year, declarations of candidacy as independent candidates. Such declarations must state that such persons are offering themselves as independent candidates and must declare that they have no political party affiliation. The declarations shall have attached thereto a petition signed by one thousand (1,000) qualified electors.

The candidates for president and vice-president shall be considered as candidates for one (1) office, and only one (1) such petition need be filed for both offices.

Signatures on the petitions required by this section shall be verified in the manner prescribed in Section 34-1807, Idaho Code, provided that the petition circulators are

not required to be Idaho residents. (History: S.L. 1977, Ch. 14; S.L. 1979, Ch. 309; S.L. 1985, Ch. 42; S.L. 1987, Ch. 262; S.L. 1996, Ch. 28; S.L. 2011, Ch. 285)

34-709 - 34-710. [Repealed — S.L. 1971, 1st E.S., Ch. 9]

- **34-711.** Certification of candidates for president, vice president and presidential electors. The state chairman of each political party shall certify the names of the presidential and vice-presidential candidates and presidential electors to the secretary of state on or before September 1, unless a five (5) day extension is granted by the secretary of state in order for them to appear on the general election ballot. The secretary of state shall certify such candidates to the county clerks at the same time as certification of political party candidates nominated for state and federal offices by the voters in the primary election. (History: S.L. 1970, Ch. 140; S.L. 1972, Ch. 346; S.L. 1976, Ch. 60; S.L. 1984; Ch. 131; S.L. 1985, Ch. 42; S.L. 2003, Ch. 94)
- **34-711A.** Certification of independent presidential electors. Independent candidates who have qualified for ballot status pursuant to section 34-708A, Idaho Code, shall certify the names of presidential electors to the secretary of state on or before September 1, in order for them to appear on the general election ballot. The secretary of state shall certify the independent presidential electors, and the independent candidates for president and vice-president, to the county clerks on or before September 7. (History: S.L. 1977, Ch. 14; S.L. 1984, Ch. 131; S.L. 1985, Ch. 42)
- **34-712. Sample form for primary election ballots.** The secretary of state shall provide the sample form of the primary election ballot to each of the county clerks no later than forty (40) days prior to the primary. The sample ballot shall contain the proper political party candidates to be voted upon within the county whose declarations were filed and certified in the office of the secretary of state with instructions for the placing of political party candidates seeking the political party nomination for county and precinct offices. If a county is within more than one (1) legislative district, the secretary of state shall provide a sample ballot for each legislative district which includes part of the county. (History: S.L. 1970, Ch. 140; S.L. 1971, Ch. 188; S.L. 1971, 1st E.S., Ch. 9; S.L. 1972, Ch. 346; S.L. 1976, Ch. 60)
- **34-713. Preparation of primary ballots.** Upon receipt of the sample ballot and instructions from the secretary of state, each county clerk shall print and prepare the official primary ballots for the forthcoming election. The printing of the ballots shall be a county expense and paid out of the county treasury except presidential primary ballots, which shall be paid for as provided in section 34-738, Idaho Code.

Each county clerk shall cause to be published on the earliest date possible the names of all the political party candidates who shall appear on the primary or presidential primary ballot. The names shall be listed alphabetically under each particular office title. (History: S.L. 1970, Ch. 140; S.L. 1975, Ch. 174; S.L. 1976, Ch. 60; S.L. 1979, Ch. 309; S.L. 2012, Ch. 33 S.L. 2015, Ch. 292)

- **34-714.** Filling vacancies in slate of political party candidates occurring prior to primary election. (1) Vacancies that occur before the primary election in the slate of candidates of any political party because of the death, disqualification for any reason, or withdrawal from the nomination process by the candidate, shall be filled in the following manner if only one (1) candidate declared for that particular office:
- (a) By the county central committee if the vacancy occurs for the office of precinct committeeman or for a county office.
- (b) By the legislative district central committee if the vacancy occurs for the office of state representative or state senator.
- (c) By the state central committee if the vacancy occurs for a federal or state office.

The county and legislative district central committee shall fill the vacancy within fifteen (15) days from the date the vacancy occurred. The state central committee shall fill the vacancy within thirty (30) days from the date the vacancy occurred.

Any political party candidate so appointed by the proper central committee must, in order to have his name on the primary ballot, file a declaration of candidacy and pay the required filing fee.

- (2) No central committee shall fill any vacancy which occurs within ten (10) days prior to the primary election. Vacancies which occur during this ten (10) day period because of the death, disqualification for any reason, or withdrawal from the nomination process by the candidate shall be filled according to the provisions of section 34-715, Idaho Code.
- (3) Vacancies that occur in a slate of candidates for precinct committeeman within ten (10) days prior to the primary election shall not be filled. (History: S.L. 1970, Ch. 140; S.L. 1971, 1st E.S., Ch. 9; S.L. 1975, Ch. 21; S.L. 1976, Ch. 60; S.L. 1989, Ch. 70; S.L. 1996, Ch. 28; S.L. 1999, Ch. 222)
- 34-715. Filling of vacancies occurring before or after primary election. Vacancies that occur during the ten (10) day period before a primary election, or after the primary election but at least ten (10) days before the general election in the slate of candidates of any political party, except candidates for precinct committeeman, shall be filled in the following manner:
- (1) By the county central committee if it is a vacancy by a candidate for a county office.
- (2) By the legislative district central committee if it is a vacancy by a candidate for the state legislature.
- (3) By the state central committee if it is a vacancy by a candidate for a federal or a state office.

The county and legislative district central committee shall fill the vacancy within fifteen (15) days from the date the vacancy occurred. The state central committee shall fill the vacancy within thirty (30) days from the date the vacancy occurred.

Any political party candidate so appointed by the proper central committee must, in order to have his name on the general ballot, file a declaration of candidacy and pay the required filing fee.

Vacancies that occur in a slate of candidates for precinct committeeman within ten

- (10) days prior to the primary election shall not be filled. (History: S.L. 1970, Ch. 140; S.L. 1972, Ch. 346; S.L. 1976, Ch. 60; S.L. 1977, Ch. 21; S.L. 1983, Ch. 213; S.L. 1996, Ch. 28; S.L. 1999, Ch. 222)
- 34-716. Vacancies of candidates for nonpartisan offices occurring before general election not filled Exceptions Judicial offices. (1) All vacancies of candidates for nonpartisan offices that occur after the primary election but before the general election, except vacancies in the offices of nominated candidates for judicial office which shall be filled as provided in this section, shall not be filled.
- (2) If a candidate for judicial office has received a majority of the votes cast for the office at the primary election, he shall be deemed elected as provided by section 34-1217, Idaho Code. Thereafter, if the judge-elect dies, moves from the state, or otherwise becomes ineligible to serve in the judicial office, the secretary of state shall declare that a vacancy exists in the judicial office, but that no other candidate for the office will be offered at the general election. The vacancy shall be filled as provided by law, as if the judge-elect had already assumed office.
- (3) If three (3) or more candidates sought a judicial office at the primary election, and no candidate for the judicial office received a majority of the votes cast for the office at the primary election, and either of the candidates certified to be a nominee at the general election dies, moves from the state, or otherwise becomes ineligible to serve in the judicial office, the secretary of state shall cause the name or names of the candidate or candidates receiving the next highest number of votes cast at the primary election after the two (2) candidates certified, to be certified as nominees for the judicial office at the general election, so that two (2) candidates shall be offered for each judicial office to be filled. In the event only one (1) vacancy on the general election ballot is to be filled by the procedure outlined in this subsection, and there exists a tie among two (2) or more judicial candidates receiving the next highest number of votes, such candidates, or their personal designees, shall meet in the office of the secretary of state at a time fixed by him upon ten (10) days written notice to such interested candidates, or their designees, and a candidate to fill each such vacancy on the general election ballot shall be selected by lot from the candidates receiving the same number of votes at the primary election. The secretary of state shall cause the name of the persons so selected to appear on the general election ballot. (History: S.L. 1970, Ch. 140; S.L. 1972, Ch. 333)
- **34-717. Withdrawal of candidacy.** (1) A candidate for nomination or candidate for election to a partisan office may withdraw from the election by filing a notarized statement of withdrawal with the officer with whom his declaration of candidacy was filed. The statement must contain all information necessary to identify the candidate and the office sought and the reason for withdrawal. The filing officer shall immediately notify the proper central committee of the party, if any, of the individual withdrawing. A candidate may not withdraw later than forty-five (45) days before an election, except in the case of a primary election, when the deadline shall be no later than the eighth Friday preceding the primary election, or a general election, when the deadline shall be no later than September 7. Filing fees paid by the candidate shall not be refunded.
 - (2) Any candidate who has filed a statement of withdrawal pursuant to this section

shall not be allowed to be appointed to fill a vacancy unless such vacancy occurs because of the death of a previous candidate. (History: S.L. 1983, Ch. 213; S.L. 1999, Ch. 222; S.L. 2011, Ch. 11; S.L. 2015, Ch. 155)

34-718 - 34-722. [Repealed - S.L. 1972, Ch. 333]

34-723 - 34-730. [Reserved]

- **34-731. Presidential Primary.** (1) In years in which a president of the United States is to be nominated and elected, a presidential primary shall be held at which voters may express their choice of candidate for nomination by a political party for president. The presidential primary shall be held on the second Tuesday in March in each presidential election year.
- (2) Participation in a presidential primary by a political party shall be optional, and nothing in this chapter shall be construed as mandating a party's participation in a presidential primary. Any party that intends to participate in a presidential primary shall notify the secretary of state's office no later than the last Tuesday in the November prior to the presidential primary. (History: S.L. 2015, Ch. 292)
- **34-732.** Candidates. The name of any candidate for a political party nomination for president of the United States shall be printed on the ballots only if the candidate files with the secretary of state a declaration of candidacy accompanied by a one thousand dollar (\$1,000) filing fee not less than ninety (90) days prior to the presidential primary. (History: S.L. 2015, Ch. 292)
- **34-733. Removal from ballot.** In the event the secretary of state is informed of a candidate's death, incapacity or withdrawal from candidacy, the secretary of state may remove the name of such candidate from the ballot, provided however, that no candidate's name shall be removed within the forty-five (45) days preceding the presidential primary. (History: S.L. 2015, Ch. 292)
- **34-734. Voting.** At a presidential primary, qualified electors may vote for one (1) candidate from among the candidates of one (1) political party only in a manner consistent with the provisions of section 34-904A, Idaho Code. (History: S.L. 2015, Ch. 292)
- **34-735. Presidential Primary Results.** Upon completion of the state canvass for the presidential primary, the secretary of state shall certify to the state chair of each political party participating in the presidential primary the number of votes received by each candidate of that party. A winner shall be declared as prescribed by rule of the state and national party. (History: S.L. 2015, Ch. 292)
- **34-736. Delegates to the national convention.** Upon receiving the results of the presidential primary pursuant to section 34-735, Idaho Code, each party participating in the presidential primary shall select, according to national and state party rules, as

many delegates and alternates to the national party convention as are allotted to it by the national committee of that party. (History: S.L. 2015, Ch. 292)

- **34-737. Conduct of election.** Insofar as practicable, and where the provisions of this chapter do not specifically indicate otherwise, the presidential primary shall be conducted and canvassed in the manner provided by law for the conduct and canvassing of state primary elections. (History: S.L. 2015, Ch. 292)
- **34-738.** Cost of presidential primary. (1) Whenever a presidential primary is held as provided by this chapter, the state of Idaho shall assume all costs related to the presidential primary, including publication of legal notice and ballot preparation. The county clerk shall determine the costs and file a certified claim, which shall be examined, allowed and paid as other claims against the state are paid.
- (2) The costs of any other election held simultaneous to the presidential primary shall be covered in the manner elsewhere prescribed by law. (History: S.L. 2015, Ch. 292)

34-739. [Repealed - S.L. 2012, Ch. 33]

34-740. Rules. The secretary of state as chief election officer may adopt such rules as are necessary to facilitate the operation, accomplishment and purpose of this chapter. (History: S.L. 1975, Ch. 174; S.L. 2015, Ch. 292)

CHAPTER 8 REGISTRATION OF ELECTORS

34-801 - 34-818. [Repealed - S.L. 1970, Ch. 140] (New law contained Chapter 4 herein)

CHAPTER 9 BALLOTS

- **34-901. Official election ballot identification.** (1) The county clerk shall provide that all election ballots are identified as official. Each ballot shall have upon its face the date and year of the election in which it is used and the words "Official Election Ballot."
 - (2) The clerk in a county that utilizes optical scan ballots shall ensure that:
 - (a) The official election ballot identification is printed on each ballot issued; and
- (b) Each ballot contains a unique marking to prevent duplication of official election ballots.
- (3) The clerk in a county that utilizes paper or other ballots shall provide an official election stamp of such character or device and of such material as the board of county commissioners may select. In the event such stamp is lost, destroyed or unavailable upon

election day, the distributing clerk shall initial each ballot and write "stamped" upon the ballot in the appropriate place. (History: S.L. 1970, Ch. 140; S.L. 2013, Ch. 285)

34-902. County commissioners to provide sufficient ballots and ballot boxes for each polling place at all elections. The board of county commissioners shall authorize that a suitable number of ballots be printed for each polling place. The county clerk shall cause such ballots to be printed upon receiving final instructions from the secretary of state, and the cost shall be paid from the county treasury. The board of county commissioners shall authorize the printing of ballots in the same manner for special elections when such special election is ordered by the governor or provided by law.

The board of county commissioners shall also provide a suitable number of ballot boxes for each polling place within the county, and shall have complete authority to determine the specifications for such ballot boxes. (History: S.L. 1970, Ch. 140; S.L. 1975, Ch. 174; S.L. 1979, Ch. 309; S.L. 2011, Ch. 11)

- 34-903. Secretary of state to prescribe form and contents of all ballots and related documents. (1) The secretary of state shall, in a manner consistent with the election laws of this state, prescribe the form for all ballots, absentee ballots, diagrams, sample ballots, ballot labels, voting machine labels or booklets, certificates, notices, declarations of candidacy, affidavits of all types, lists, applications, poll books, tally sheets, registers, rosters, statements and abstracts if required by the election laws of this state.
- (2) The secretary of state shall prescribe the arrangement of the matter to be printed on each kind of ballot and label, including:
 - (a) The placement and listing of all offices, candidates and issues upon which voting is statewide, which shall be uniform throughout the state.
 - (b) The listing of all other candidates required to file with him, and the order of listing all offices and issues upon which voting is not statewide.
- (3) The names of candidates for legislative or special district offices shall be printed only on the ballots and ballot labels furnished to voters of such district.
- (4) The names of candidates which appear on election ballots for federal, state, county and city offices shall be rotated in the manner determined by the secretary of state. The order of candidates for office in other elections shall be determined by applying the first letter of each candidate's last name to a random alphabet selected prior to each election by the secretary of state.
- (5) No candidate's name may appear on a ballot for more than one (1) partisan office or one (1) judicial office, except that a candidate for precinct committeeman may seek one (1) additional office upon the same ballot. The provisions of this subsection shall not apply to the election of electors of president and vice-president of the United States. (History: S.L. 1970, Ch. 140; S.L. 1971, Ch. 189; S.L. 1987, Ch. 313; S.L. 2011, Ch. 285; S.L. 2012, Ch. 211; S.L. 2015, Ch. 282)
- **34-903A.** Name on ballot. Should it appear to the secretary of state or county clerk that a person has filed as a candidate and that such person has changed their name and has changed their name to words that convey or attempt to convey a political message, the secretary of state or county clerk shall make an inquiry to determine: (i) if such

person has changed their name; and (ii) if such name contains words that convey a political message to voters on the ballot; and (iii) if an explanation on the ballot would clarify the ballot and would assist in eliminating voter confusion. If the secretary of state or county clerk finds affirmatively that all three (3) criteria have been met, the secretary of state or county clerk shall be required to note on the ballot immediately following the name that appears to be a political proposition the following statement in parentheses: (A person, formerly known as), inserting in the blank within the parentheses the name by which the candidate who changed their name was formerly known. (History: S.L. 2008, Ch. 408)

- **34-904. Primary election ballots.** (1) There shall be a separate primary election ballot for each political party upon which its ticket shall be printed; however, a county may use a separate ballot for the office of precinct committeeman. All candidates who have filed their declarations of candidacy and are subsequently certified shall be listed under the proper office titles on their political party ticket. The secretary of state shall design the primary election ballot to allow for write-in candidates under each office title.
- (2) The office titles shall be listed in order beginning with the highest federal office and ending with precinct offices. The secretary of state has the discretion and authority to arrange the classifications of offices as provided by law.
- (3) It is not necessary to print a primary ballot for a political party which does not have candidates for more than half of the federal or statewide offices on the ballot if no more than one (1) candidate files for nomination by that party for any of the offices on the ballot. The secretary of state shall certify that no primary election is necessary for that party if such is the case and shall certify to the county clerk the names of candidates for that party for the general election ballot only. (History: S.L. 1970, Ch. 140; S.L. 1971, Ch. 189; S.L. 1972, Ch. 130; S.L. 1983, Ch. 213; S.L. 2001, Ch. 272; S.L. 2011, Ch. 319; S.L. 2012, Ch. 57)
- **34-904A.** Eligibility to vote in primary elections. (1) Except as provided in subsection (2) of this section, an elector who has designated a party affiliation shall be allowed to vote only in the primary or presidential primary election of the political party for which such an elector is so registered.
- (2) A political party qualified to participate in elections pursuant to section 34-501, Idaho Code, may, no later than the last Tuesday in the November prior to a primary or presidential election, notify the secretary of state in writing that the political party elects to allow, in addition to those electors who have registered with that political party, any of the following to vote in such party's primary or presidential primary election:
 - (a) Electors designated as "unaffiliated";
- (b) Electors registered with a different political party qualified to participate in elections pursuant to section 34-501, Idaho Code. In the event a state chairman of a political party elects to allow electors to vote in that party's primary or presidential primary election pursuant to this paragraph (b), the state chairman shall identify which political parties' registrants are allowed to vote in such primary or presidential primary election.

- (3) In the event that more than one (1) political party allows "unaffiliated" electors to vote in their party's primary or presidential primary election, an "unaffiliated" elector shall designate which political party's primary or presidential primary election the elector chooses to vote in by declaring such designation to the poll worker or other appropriate election personnel, who shall then record in the poll book the elector's choice. The county clerk shall record such choice as part of the elector's voting history within the voter registration system as provided for in section 34-437A, Idaho Code.
- (4) In the event no more than one (1) political party allows "unaffiliated" electors to vote in their party's primary or presidential primary election, an "unaffiliated" elector may designate that political party's primary or presidential primary election as the election the elector chooses to vote in by declaring such designation to the poll worker or other appropriate election personnel, who shall then record in the poll book the elector's choice. The county clerk shall record such choice as part of the elector's voting history within the voter registration system as provided for in section 34-437A, Idaho Code.
- (5) An "unaffiliated" elector having declared such designation as provided for in subsection (3) or (4) of this section shall not be permitted to vote in the primary or presidential primary election of any other party held on that primary or presidential primary election date.
- (6) If an "unaffiliated" elector does not declare a choice of political party's primary or presidential primary election ballot, the elector shall not be permitted to vote in any political party's or presidential primary election but shall receive a nonpartisan ballot when such ballot is available.
- (7) In the event that one (1) or more political parties allow electors affiliated with a different political party to vote in their primary or presidential primary election pursuant to this section, an elector affiliated with a different political party shall declare to the poll worker or other appropriate election personnel in which primary or presidential primary election ballot such elector wishes to vote. The county clerk shall record such choice as part of the elector's voting history within the voter registration system as provided for in section 34-437A, Idaho Code.

Provided that all other provisions of this act are complied with, nothing in this section shall be construed to prohibit an elector designated as "unaffiliated" from voting in the primary or presidential primary election of a different party held in subsequent years. Notwithstanding any other provision of this act, if a political party allows "unaffiliated" electors to vote in that political party's primary or presidential primary election pursuant to this section, a vote by an "unaffiliated" elector in such primary or presidential primary election shall not change or affect the elector's "unaffiliated" designation. (History: S.L. 2011, Ch. 319; S.L. 2015, Ch. 292)

34-905. Nonpartisan ballots for election of justices of supreme court and district judges. There shall be a single nonpartisan ballot for the election of justices of the supreme court and district judges. The names of all candidates for each office shall be listed under the proper office title by the secretary of state. A similar ballot shall be prepared for any general election, whenever it shall be necessary to conduct an election for judicial office.

The ballot for each judicial office shall contain the words: "To succeed (Judge,

Justice)," inserting the name of the or of each incumbent candidate for re-election, or retiring judge or justices as the case may be, whose successor is to be elected in that year followed by the words: "Vote for One," followed by the names of the candidates for that particular office. (History: S.L. 1970, Ch. 140; S.L. 1971, 1st E.S., Ch. 9)

34-905A. Nonpartisan ballots for election of highway district commissioners — Plurality required for election. There shall be a single nonpartisan ballot for the election of highway district commissioners in each highway district. The ballot shall designate the highway district commissioners subdistrict and the names of all candidates for that office shall be listed thereon. The ballot shall also contain the words: "Vote for One," followed by the names of the candidates for the office. The candidate with the most votes shall be declared the successful candidate. (History: S.L. 1972, Ch. 345)

34-906. Ballots for general elections. There shall be a single general election ballot on which the complete ticket of each political party shall be printed. Each political party ticket shall include that party's nominee for each particular office. The secretary of state shall design the general election ballot to allow for write-in candidates under each office title.

The office titles shall be listed in order beginning with the highest federal office. The secretary of state has the discretion and authority to arrange the above classifications of offices as provided by law.

At any general election at which the electors are to vote upon constitutional amendments or other issues, the secretary of state shall provide separate general election ballot forms on which such amendments and issues shall be printed. (History: S.L. 1970, Ch. 140; S.L. 1971, Ch. 189; S.L. 1977, Ch. 12)

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34-907. [Repealed - S.L. 2002, Ch. 1]34-907A. [Repealed - S.L. 2007, Ch. 202]34-907B. [Repealed - S.L. 2007, Ch. 202]
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- 34-908. Each ballot to carry official election ballot identification on outside Marking of ballot by voter. (1) Every ballot used at any primary, general or special election shall be marked on the outside with the official election ballot identification before it is given to the voter. At this time the election official distributing the ballots shall give the voter instructions in regard to folding the ballot after he has voted.
- (2) The voter shall mark his ballot with a cross (X) or other mark sufficient to show his intent in the place provided after the name of the candidate for whom he intends to vote for each office.
- (3) If a person votes by writing the name of a candidate on the ballot, such act shall constitute a vote for the person's name who appears without the necessity of placing a mark after the name written on the ballot, unless such a mark is required by a vote tally system. (History: S.L. 1970, Ch. 140; S.L. 1988, Ch. 293; S.L. 2013, Ch. 285)

34-909. General election sample ballots forwarded to counties by secretary of state. The secretary of state, not later than September 7, shall prepare the necessary general election sample ballots for the various counties and forward them to the several county clerks. The secretary of state shall place the names of the candidates for all federal, state and district offices on the sample ballots, and by not later than the tenth day prior to the general election shall certify the names of candidates who have been appointed by central committees to fill vacancies as provided by section 34-715, Idaho Code. (History: S.L. 1970, Ch. 140; S.L. 1976, Ch. 60; S.L. 1984, Ch. 131; S.L. 1985, Ch. 42)

34-910. Duty of county clerk to furnish sufficient ballots to each voting precinct — Record of number of ballots printed and furnished. (1) It shall be the duty of the county clerk to furnish and cause to be delivered a sufficient number of election ballots to the judges of elections of each voting precinct. The ballots shall be delivered to the polling place within the precinct on or before the opening of the polls for the election together with the official election ballot identification in sealed packages. Upon receipt of the ballots and supplies, the chief judge of elections or other designated judge must return a written receipt to the county clerk.

(2) The county clerk shall keep a record of the number of ballots printed and furnished to each polling place within the county and preserve the same for one (1) year. (History: S.L. 1970, Ch. 140; S.L. 2011, Ch. 285; S.L. 2013, Ch. 285)

34-911. County clerk to prepare full instructions for the guidance of voters at elections. The county clerk shall prepare full instructions for the guidance of voters at such elections, as to obtaining ballots, as to the manner of marking them, and as to obtaining new tickets in place of those spoiled, and provide sample ballots. The form and manner of display of the above mentioned instructions shall be prescribed by the secretary of state and be uniform throughout the state. (History: S.L. 1970, Ch. 140)

34-912. Procedure for correction of ballots when vacancy occurs after printing — Notice. When any vacancy occurs after the printing of the ballots and is filled as provided by law, the county clerk shall thereupon have printed a sufficient number of stickers containing the name of the candidate designated to fill the vacancy and shall deliver them to the judges of elections of the precincts interested therein.

The distributing clerk shall affix such stickers on the ballot before it is given to the elector. The sticker shall be placed over the name of the previous candidate. If the vacancy occurs after the deadline for filling the same, the distributing clerk shall cross the name of such candidate off the ballot and no votes shall be cast for the candidate. The county clerk shall notify the precincts of this authorization as soon as a vacancy occurs. (History: S.L. 1970, Ch. 140)

34-913, 34-914. [Repealed - S.L. 1970, Ch. 140]

CHAPTER 10 ABSENTEE VOTING

- **34-1001. Voting by absentee ballot authorized.** Any registered elector of the state of Idaho may vote at any election by absentee ballot as herein provided. (History: S.L. 1970, Ch. 140)
- **34-1002. Application for absentee ballot.** (1) Any registered elector may make written application to the county clerk, or other proper officer charged by law with the duty of issuing official ballots for such election, for an official ballot or ballots of the kind or kinds to be voted at the election. The application shall contain the name of the elector, the elector's home address, county, and address to which such ballot shall be forwarded.
- (2) In order to provide the appropriate primary election ballot to electors, in the event a political party elects to allow unaffiliated electors to vote in that party's primary election pursuant to section 34-904A, Idaho Code, the elector shall designate, as part of the written application for a ballot for primary elections, the elector's party affiliation or designation as "unaffiliated." The application shall contain checkoff boxes for "unaffiliated" electors by which such electors shall indicate for which party's primary ballot the "unaffiliated" elector chooses to vote. Provided however, that no political party's primary election ballot shall be provided to an "unaffiliated" elector for a political party that has not elected to allow "unaffiliated" electors to vote in that political party's primary election pursuant to section 34-904A, Idaho Code. If an "unaffiliated" elector does not indicate a choice of political party's primary election ballot, the elector shall receive a nonpartisan ballot.
- (3) In order to provide the appropriate primary election ballot to electors, in the event one (1) or more political parties elect to allow electors affiliated with a different political party to vote in that party's primary election, the application shall contain checkoff boxes by which such electors may indicate the primary ballot in which the elector wishes to vote.
- (4) For electors who are registered to vote as of January 1, 2012, and who remain registered electors, the elector shall designate, as part of the written application for a ballot for the 2012 primary elections, the elector's party affiliation or designation as "unaffiliated." The application shall contain checkoff boxes for "unaffiliated" electors by which such electors shall indicate for which party's primary election ballot the "unaffiliated" elector chooses to vote, pursuant to section 34-904A, Idaho Code. Provided however, that no political party's primary election ballot shall be provided to an "unaffiliated" elector for a political party that has not elected to allow "unaffiliated" electors to vote in the party's primary election pursuant to section 34-904A, Idaho Code. If an "unaffiliated" elector does not indicate a choice of political party's primary election ballot, the elector shall receive a nonpartisan ballot. After the 2012 primary election, the county clerk shall record the party affiliation or "unaffiliated" designation so selected on the application for an absentee ballot as part of such an elector's record within the voter registration system as provided for in section 34-437A, Idaho Code.
 - (5) After the 2012 primary election, electors who remain registered voters and

who did not vote in the 2012 primary elections and who make written application for an absentee ballot shall be designated as "unaffiliated" electors as provided in section 34-404, Idaho Code, and such electors shall be given the appropriate ballot for such "unaffiliated" designation pursuant to the provisions of this act.

- (6) An elector may not change party affiliation or designation as "unaffiliated" on an application for absentee ballot. For primary elections, an elector may change party affiliation or designation as "unaffiliated" as provided for in section 34-411A, Idaho Code.
- (7) The application for an absent elector's ballot shall be signed personally by the applicant. The application for a mail-in absentee ballot shall be received by the county clerk not later than 5:00 p.m. on the eleventh day before the election. An application for in-person absentee voting at the absent elector's polling place described in section 34-1006, Idaho Code, shall be received by the county clerk not later than 5:00 p.m. on the Friday before the election. Application for an absentee ballot may be made by using a facsimile machine or other electronic transmission. In the event a registered elector is unable to vote in person at the elector's designated polling place on the day of election because of an emergency situation that rendered the elector physically unable, the elector may nevertheless apply for an absent elector's ballot by notifying the county clerk within ninety-six (96) hours prior to the closing of the polls. No person may, however, be entitled to vote under an emergency situation unless the situation claimed rendered the elector physically unable to vote at the elector's designated polling place within ninety-six (96) hours prior to the closing of the polls.
- (8) A person may make application for an absent elector's ballot by use of a properly executed federal post card application as provided for in the laws of the United States known as uniformed and overseas citizens absentee voting act (UOCAVA, 42 U.S.C. 1973 ff, et seq., as amended). The issuing officer shall keep as a part of the records of such officer's office a list of all applications so received and of the manner and time of delivery or mailing to and receipt of returned ballot.
- (9) The county clerk shall, not later than seventy-five (75) days after the date of each general election, submit a report to the secretary of state containing information concerning absentee voters as required by federal law. (History: S.L. 1970, Ch. 140; S.L. 1972, Ch. 157; S.L. 1973, Ch. 304; S.L. 1976, Ch. 353; S.L. 1987, Ch. 167; S.L. 1994, Ch. 122; S.L. 1995, Ch. 215; S.L. 2002, Ch. 236; S.L. 2003, Ch. 48; S.L. 2010, Ch. 332; S.L. 2011, Ch. 319; S.L. 2013, Ch. 135; S.L. 2016, Ch. 137)

34-1002A. [Repealed - S.L. 1994, Ch. 122]

- **34-1003. Issuance of absentee ballot.** (1) Upon receipt of an application for an absent elector's ballot within the proper time, the county clerk receiving it shall examine the records of the county clerk's office to ascertain whether or not such applicant is registered and lawfully entitled to vote as requested and, if found to be so, the elector shall arrange for the applicant to vote by absent elector's ballot.
 - (2) In the case of requests for primary ballots:
- (a) Except as provided in subsection (2)(b) of this section, an elector who has designated a political party affiliation shall receive a primary ballot for that political

party.

- (b) An elector who has designated a political party affiliation pursuant to section 34-404, Idaho Code, may receive the primary election ballot of a political party other than the political party such elector is affiliated with if such other political party has provided notification to the secretary of state that identifies the political party such elector is affiliated with, as provided for in section 34-904A(2)(b), Idaho Code.
- (c) An "unaffiliated" elector shall receive the primary ballot for the political party which the elector designated in the elector's application for an absentee ballot pursuant to section 34-1002, Idaho Code. Provided however, that a political party's ballot shall not be provided to an "unaffiliated" elector where that political party has not elected to allow "unaffiliated" electors to vote in such party's primary election pursuant to section 34-904A. Idaho Code.
- (d) If an "unaffiliated" elector does not indicate a choice of political party's primary ballot, the elector shall receive a nonpartisan ballot.
- (3) The absentee ballot may be delivered to the absent elector in the office of the county clerk, by postage prepaid mail or by other appropriate means, including use of a facsimile machine or other electronic transmission. Validly requested absentee ballots for candidates for federal office, where the request is received at least forty-five (45) days before an election, shall be sent not later than forty-five (45) days before that election to all electors who are entitled to vote by absentee ballot.
- (4) Pursuant to the uniformed and overseas citizens absentee voting act (UOCAVA, 42 U.S.C. 1973 ff, et seq., as amended) the secretary of state shall establish procedures for the transmission of blank absentee ballots by mail and by electronic transmission for all electors who are entitled to vote by absentee ballot under the uniformed and overseas citizens absentee voting act, and by which such electors may designate whether the elector prefers the transmission of such ballots by mail or electronically. If no preference is stated, the ballots shall be transmitted by mail. The secretary of state shall establish procedures for transmitting such ballots in a manner that shall protect the security and integrity of such ballots and the privacy of the elector throughout the process of transmission.
- (5) A political party may supply a witness to accompany the clerk in the personal delivery of an absentee ballot. If the political party desires to supply a witness it shall be the duty of the political party to supply the names of such witnesses to the clerk no later than forty-five (45) days prior to the election. The clerk shall notify such witnesses of the date and the approximate hour the clerk or deputy clerk intends to deliver the ballot.
- (6) A candidate for public office or a spouse of a candidate for public office shall not be a witness in the personal delivery of absentee ballots.
- (7) An elector physically unable to mark such elector's own ballot may receive assistance in marking such ballot from the officer delivering same or an available person of the elector's own choosing. In the event the election officer is requested to render assistance in marking an absent elector's ballot, the officer shall ascertain the desires of the elector and shall vote the applicant's ballot accordingly. When such ballot is marked by an election officer, the witnesses on hand shall be allowed to observe such marking. No county clerk, deputy, or other person assisting a disabled voter shall attempt to influence

the vote of such elector in any manner. (History: S.L. 1970, Ch. 140; S.L. 1973, Ch. 304; S.L. 1975, Ch. 66; S.L. 1984, Ch. 131; S.L. 1993, Ch. 100; S.L. 1994, Ch. 122; S.L. 1996, Ch. 74; S.L. 2010, Ch. 332; S.L. 2011, Ch. 11; S.L. 2011, Ch. 319)

34-1004. Marking and folding of absentee ballot — Affidavit. Upon receipt of the absent elector's ballot the elector shall thereupon mark and fold the ballot so as to conceal the marking, deposit it in the ballot envelope and seal the envelope securely. In the event an election requires a perforated ballot, the unvoted portion must be deposited in the unvoted ballot envelope and sealed. The ballot envelopes must then be deposited in the return envelope and sealed securely.

The elector shall then execute an affidavit on the back of the return envelope in the form prescribed, provided however, that such affidavit need not be notarized. (History: S.L. 1970, Ch. 140)

34-1005. Return of absentee ballot. The return envelope shall be mailed or delivered to the officer who issued the same; provided, that an absentee ballot must be received by the issuing officer by 8:00 p.m. on the day of election before such ballot may be counted.

Upon receipt of an absent elector's ballot the county clerk of the county wherein such elector resides shall verify the authenticity of the affidavit and shall write or stamp upon the envelope containing the same, the date and hour such envelope was received in his office and record the information pursuant to section 34-1011, Idaho Code. He shall safely keep and preserve all absent electors' ballots unopened until the time prescribed for delivery to the polls or to the central count ballot processing center. (History: S.L. 1970, Ch. 140; S.L. 1972, Ch. 157; S.L. 1995, Ch. 215; S.L. 2007, Ch. 202; S.L. 2011, Ch. 285)

34-1006. County clerks shall provide one or more "absent electors' voting place." Each county clerk shall provide one (1) or more "absent electors' polling places" as determined necessary by each county. Each polling place shall be provided with voting booths and other necessary supplies as provided by law. Electioneering is prohibited at an "absent electors' polling place" as provided in section 18-2318, Idaho Code. (History: S.L. 1970, Ch. 140; S.L. 1994, Ch. 21; S.L. 1998, Ch. 163)

34-1007. Transmission of absentee ballots to polls. On receipt of such absent elector's ballot or ballots, the officer receiving them shall forthwith enclose the same, unopened in a carrier envelope endorsed with the name and official title of such officer and the words: "absent electors' ballot to be opened only at the polls." He shall hold the same until the delivery of the official ballots to the judges of election of the precinct in which the elector resides and shall deliver the ballot or ballots to the judges with such official ballots.

In those counties which count ballots at a central location, absentee ballots that are received may, in the discretion of the county clerk, be retained in a secure place in the clerk's office and such ballots shall be added to the precinct returns at the time of ballot tabulation. The clerk shall deliver to the polls a list of those absentee ballots received

to record in the official poll book that the elector has voted. (History: S.L. 1970, Ch. 140; S.L. 2002, Ch. 236; S.L. 2007, Ch. 202)

- **34-1008. Deposit of absentee ballots.** Between the opening and closing of the polls on such election day the judges of election of such precinct shall open the carrier envelope only, announce the absent elector's name, and in the event they find such applicant to be a duly registered elector of the precinct and that he has not heretofore voted at the election, they shall open the return envelope and remove the ballot envelopes and deposit the same in the proper ballot boxes and cause the absent elector's name to be entered on the poll books the same as though he had been present and voted in person. The ballot envelope shall not be opened until the ballots are counted. (History: S.L. 1970, Ch. 140; S.L. 1995, Ch. 215)
- 34-1009. Challenging absentee elector's vote. The vote of any absent elector may be challenged in the same manner as other votes are challenged and the receiving judges shall have power and authority to determine the legality of such ballot. If the challenge be sustained, or if the receiving judges determine, that the affidavit accompanying the absent elector's ballot is insufficient, or that the elector is not a qualified registered elector the envelope containing the ballot of such elector shall not be opened and the judges shall endorse on the back of the envelope the reason therefor. If an absent elector's envelope contains more than one (1) marked ballot of any one (1) kind, none of such ballots shall be counted and the judges shall make notations on the back of the ballots the reason therefor. Judges of election shall certify in their returns the number of absent electors' ballots cast and counted and the number of such ballots rejected. (History: S.L. 1970, Ch. 140; S.L. 2004, Ch. 248)
- **34-1010. Rejection of defective ballots.** All absent electors' identification envelopes, ballot stubs and absent electors' ballots rejected by the judges in accordance with the provisions of this act shall be returned to the county clerk. All absent electors' ballots received by the county clerk after 8:00 p.m. on the day of the general, primary or special election, together with the rejected absent electors' ballots returned by the judges of election as provided in this section, shall remain in the sealed identification envelopes and be handled in the manner provided for other spoiled ballots. (History: S.L. 1970, Ch. 140; S.L. 1973, Ch. 304)
- **34-1011.** County clerk's record of applications for absent elector's ballots. The county clerk shall keep a record in his office containing a list of names and precinct numbers of electors making application for absent elector's ballots, together with the date on which such application was made, the date on which such absent elector's ballot was returned. If an absent elector's ballot is not returned or if it be rejected and not counted, such fact shall be noted on the record. Such record shall be open to public inspection under proper regulations. (History: S.L. 1970, Ch. 140)
- **34-1012.** Alternative procedures for absentee voting -- Early voting. (1) Those counties that utilize absentee voting facilities that have access to the Idaho statewide voter registration system and count ballots at a central location or utilize a polling

location based tabulation system may elect to conduct "early voting" according to the provisions of this section. For those counties that elect to do "early voting," early voting shall begin on or before the third Monday before the election and end at 5:00 p.m. on the Friday before the election. Primary election ballots shall be issued pursuant to section 34-1002(2), Idaho Code.

- (2) A voter who appears at an "early voting" station to vote shall state his or her name and address to the election official and present the voter's identification as required by sections 34-1113 and 34-1114, Idaho Code.
- (3) The election official shall examine the records to ascertain whether or not such applicant is registered and lawfully entitled to vote as requested. The provisions of section 34-408A, Idaho Code, authorizing election day registration shall also apply in determining the applicant's qualifications to vote.
- (4) Before receiving a ballot, each elector shall sign his or her name in the election register and poll book provided for early voting.
- (5) The elector shall then be given the appropriate ballots containing the official election ballot identification pursuant to section 34-901, Idaho Code, and shall be given folding instructions for such ballots, if appropriate.
- (6) Upon receipt of the ballots, the elector shall retire to a vacant voting booth and mark the ballots according to the instructions provided.
- (7) After marking the ballot, the elector shall present himself or herself to the election official at the ballot box and state his or her name and address. The elector shall then deposit the ballot in the ballot box or hand it to the election official, who shall deposit it. The election official shall then record that the elector has voted and proclaim the same in an audible voice.
- (8) Voters requiring assistance shall be provided with such assistance in accordance with section 34-1108, Idaho Code.
- (9) Electioneering is prohibited at an early voting polling place as provided in section 18-2318, Idaho Code. (History: S.L. 2013, Ch. 132; S.L. 2016, Ch. 138)
- **34-1013.** Early voting ballot security. A detailed plan for the security of ballots for early voting shall be submitted to the secretary of state for approval no later than thirty (30) days before early voting begins. At a minimum, the following procedures must be followed:
- (1) The ballot boxes used for casting early ballots shall remain locked and secured with a numbered seal until the time of tabulation on election day.
- (2) A record shall be maintained consisting of the number of ballots issued by date and seal number of each ballot box used for early voting.
- (3) Arrangements shall be made to have a deputy sheriff, police officer or bonded private security firm secure the location.
- (4) The actual counting of ballots shall not begin until election day, and the results shall not be released to the public until all voting places in the state have closed. (History: S.L. 2013, Ch. 132)

34-1014 - 34-1027. [Repealed - S.L. 1970, Ch. 140]

CHAPTER 11 CONDUCT OF ELECTIONS

- **34-1101. Opening and closing of polls.** (1) At all elections conducted pursuant to title 34, Idaho Code, the polls shall be opened at 8:00 A.M. and remain open until all registered electors of that precinct have appeared and voted or until 8:00 P.M. of the same day, whichever comes first. The county clerk, at his option, however, may open the polls in his county at 7:00 A.M. for a primary or general election.
- (2) Upon opening the polls, one (1) of the judges shall make the proclamation of the same and thirty (30) minutes before closing the polls a proclamation shall be made in the same manner. Any elector who is in line at 8:00 P.M. shall be allowed to vote notwithstanding the pronouncement that the polls are closed. (History: S.L. 1970, Ch. 140; S.L. 1972, Ch. 349; S.L. 1973, Ch. 304; S.L. 1993, Ch. 313)
- **34-1102.** Changing polling place Proclamation and notice. Whenever it shall become impossible or inconvenient to hold an election at the place designated therefor, the judges of election, after assembling and before receiving any vote, may adjourn to the nearest convenient place for holding the election, and at such adjourned place forthwith proceed with the election and the county clerk shall be notified of the change.

Upon adjourning any election, the judges shall cause proclamation thereof to be made, and shall post a notice upon the place where the adjournment was made from notifying electors of the change of polling place. (History: S.L. 1970, Ch. 140)

- **34-1103. Opening ballot boxes.** (1) In the presence of bystanders the judges of elections shall break the sealed packages of election ballots and other supplies.
- (2) Before receiving any ballots the judges shall open and exhibit, close and lock the ballot boxes, and thereafter they shall not be removed from the polling place until all ballots are counted. They shall not be opened until the polls are closed unless the precinct is using a duplicate set of ballot boxes. (History: S.L. 1970, Ch. 140; S.L. 2013, Ch. 285)
- **34-1104. Judges may administer oaths Challenge of voters.** Any judge may administer and certify any oath required to be administered during the progress of an election or challenge any elector. (History: S.L. 1970, Ch. 140)
- **34-1105. Duties of constable.** The judges of election may appoint some capable person to act as election constable during the election, and he shall have the power to make arrests for disturbance of the peace, as provided by law for constables, and he shall allow no one within the voting area except those who go to vote, and shall allow but one (1) elector in a compartment at one (1) time. He shall remain and keep order at the polling place until all of the votes are tallied. (History: S.L. 1970, Ch. 140)
- **34-1106.** Signing combination election record and poll book Delivery of ballot to elector. (1) An elector desiring to vote shall state his name and address to the judge or clerk in charge of the combination election record and poll book.

- (2) Before receiving his ballot, each elector shall sign his name in the combination election record and poll book following his name therein and show a valid photo identification as provided for in section 34-1113, Idaho Code, or personal identification affidavit as provided for in section 34-1114, Idaho Code.
- (3) No person shall knowingly sign his name in the combination election record and poll book if his residence address is not within that precinct at the time of signing.
- (4) If the residence address of a person contained in the combination election record and poll book is incorrectly given due to an error in preparation of the combination election record and poll book, the judge shall ascertain the correct address and make the necessary correction.
- (5) The elector shall then be given the appropriate ballots which have been marked with the official election ballot identification and shall be given folding instructions for such ballots. (History: S.L. 1970, Ch. 140; S.L. 1972, Ch. 349; S.L. 2010, Ch. 246; S.L. 2013, Ch. 285)
- **34-1106A.** Electronic poll book authorized. (1) A county may adopt the use of any electronic poll book that has been certified by the secretary of state for use in this state. A county that opts to use electronic poll books shall notify the secretary of state of that decision.
- (2) The secretary of state shall develop and provide to each county that adopts the use of electronic polls books under subsection (1) of this section instructions, directives and advisories regarding the examination, testing and use of the electronic poll books. (History: S.L. 2015, Ch. 282)
- **34-1107. Manner of voting.** On receipt of his ballot the elector shall retire to a vacant voting booth and mark his ballot according to the instructions provided by law.

After marking his ballot, the elector shall present himself to the judge at the ballot box and state his name and residence. The elector shall then deposit his ballot in the proper box or hand his ballot to the election judge, who shall deposit it. The judge shall then record that the elector has voted and proclaim the same in an audible voice. (History: S.L. 1970, Ch. 140; S.L. 1971, Ch. 129; S.L. 1972, Ch. 349; S.L. 1973, Ch. 304; S.L. 2007, Ch. 202)

- **34-1108. Assistance to voter.** (1) If any registered elector is unable, due to physical or other disability, to enter the polling place, he may be handed a ballot outside the polling place but within forty (40) feet thereof by one (1) of the election clerks, and in his presence but in a secret manner, mark and return the same to such election officer who shall proceed as provided by law to record the ballot.
- (2) If any registered elector, who is unable by reason of physical or other disability to record his vote by personally marking his ballot and who desires to vote, then and in that case such elector shall be given assistance by the person of his choice or by one (1) of the election clerks. Such clerk or selected person shall mark the ballot in the manner directed by the elector and fold it properly and present it to the elector before leaving the voting compartment or area provided for such purpose. The elector shall then present

it to the judge of election in the manner provided above. (History: S.L. 1970, Ch. 140; S.L. 1972, Ch. 349; S.L. 1978, Ch. 37; S.L. 2010, Ch. 235)

- **34-1109. Spoiled ballots.** No person shall take or remove any ballot from the polling place. If an elector inadvertently or by mistake spoils a ballot, he shall return it folded to the distributing clerk, who shall give him another ballot. The ballot thus returned shall, without examination, be immediately canceled by writing across the back, or outside of the ballot as folded, the words "spoiled ballot, another issued," and deposit the spoiled ballot in a box provided for that purpose. (History: S.L. 1970, Ch. 140)
- **34-1110. Officers not to divulge information.** No judge or clerk shall communicate to anyone any information as to the name or number on the registry list of any elector who has not applied for a ballot, or who has not voted at the polling place; and no judge, clerk or other person whomsoever, shall interfere with, or attempt to interfere with, a voter when marking his ballot. No judge, clerk or other person shall, directly or indirectly, attempt to induce any voter to display his ticket after he shall have marked the same, or to make known to any person the name of any candidate for or against whom he may have voted. (History: S.L. 1970, Ch. 140)
- **34-1111.** Challenging voters. In case any person offering to vote is challenged one (1) of the judges must declare the qualifications of an elector to such person. If the person so challenged then declares himself duly qualified, and the challenge is not withdrawn, one (1) of the judges shall then tender him the elector's oath, as prescribed by the secretary of state. No challenged elector shall have the right to vote until he has subscribed to the elector's oath. Upon a challenged elector's subscribing the elector's oath, he shall be entitled to vote. (History: S.L. 1970, Ch. 140)
- **34-1112. Handbook of elector's qualifications.** The secretary of state shall prepare a handbook which sets forth the qualifications of an elector which shall aid the judges of election to determine whether a person is qualified to vote at the election.

A sufficient number of these handbooks shall be transmitted to each county clerk who shall provide each polling place with a sufficient number of copies. (History: S.L. 1970, Ch. 140; S.L. 1972, Ch. 349)

- **34-1113. Identification at the polls.** All voters shall be required to provide personal identification before voting at the polls or at absent electors polling places as required by section 34-1006, Idaho Code. The personal identification that may be presented shall be one of the following:
- (1) An Idaho driver's license or identification card issued by the Idaho transportation department;
- (2) A passport or an identification card, including a photograph, issued by an agency of the United States government;
 - (3) A tribal identification card, including a photograph; or
- (4) A current student identification card, including a photograph, issued by a high school or an accredited institution of higher education, including a university, college or technical school, located within the state of Idaho. (History: S.L. 2010, Ch. 246)

34-1114. Affidavit in lieu of personal identification. If a voter is not able to present personal identification as required in section 34-1113, Idaho Code, the voter may complete an affidavit in lieu of the personal identification. The affidavit shall be on a form prescribed by the secretary of state and shall require the voter to provide the voter's name and address. The voter shall sign the affidavit. Any person who knowingly provides false, erroneous or inaccurate information on such affidavit shall be guilty of a felony. (History: S.L. 2010, Ch. 246)

CHAPTER 12 CANVASS OF VOTES

- **34-1201.** Canvass of votes. (1) When the polls are closed the judges must immediately proceed to count the ballots cast at such election. The counting must be continued without adjournment until completed and the result declared.
- (2) If the precinct has duplicate ballot boxes, the counting may begin after five (5) ballots have been cast. At this time, the additional clerks shall close the first ballot box and retire to the counting area and count the ballots. Upon completion of this counting the clerks shall return the ballot box and then proceed to count all of the ballots cast in the second box during this period. This counting shall continue until the polls are closed at which time all election personnel shall complete the counting of the ballots.
- (3) The county clerk may designate paper ballots be returned to a central count location for counting by special counting boards. If the paper ballots are to be counted at a central count location, a procedure may be adopted to deliver the voted ballots to the county clerk prior to the closing of the polls. The results of this early count shall not be released to the public until after 8:00 p.m. of election day. (History: S.L. 1970, Ch. 140; S.L. 2011, Ch. 285)
- 34-1202. Comparison of poll lists, and ballots Void ballots. The counting must commence by comparison of the ballots and the poll lists from the commencement, and a correction of any mistake that may be found therein, until they are found to agree. The ballot box shall be opened and the ballots found therein counted by the judges, unopened and the number of ballots in the box must agree with the number marked in the poll book as having received a ballot, and this number, together with the number of spoiled ballots, must agree with the number of stubs or counterfoils in the books from which the ballots have been taken. If the number of ballots issued does not agree with the number of stubs or counterfoils, the election judges shall have authority to make any decision to correct the situation; but this shall not be construed to allow the judges to void all ballots cast at that polling place.

When duplicate ballot boxes are used in a precinct, the duties herein prescribed shall be done after all of the votes have been tallied. (History: S.L. 1970, Ch. 140; S.L. 1995, Ch. 215)

34-1202A. Void ballot not counted. At any bond election conducted by the state of Idaho, its agencies, institutions, political subdivisions and municipal and quasi-municipal corporations, any ballot or part of a ballot from which it is impossible to determine the

elector's choice shall be void and shall not be counted. It is hereby declared that any qualified elector casting such ballot or part of a ballot shall be deemed not to have voted at or participated in such bond election and such ballot or part of a ballot shall not be counted in determining the number of qualified electors voting at or participating in such bond election. (History: S.L. 1978, Ch. 51)

- **34-1203.** Counting of ballots Certificates of judges. (1) The ballots and polls lists agreeing, the election personnel shall then proceed to tally the votes cast. Under each office title the number of votes for each candidate and such other information required by the secretary of state shall be entered in the tally books together with the total of the above figures in the manner prescribed by the secretary of state. Any ballot or part of a ballot from which it is impossible to determine the elector's choice, shall be void and shall not be counted. When a ballot is sufficiently plain to determine therefrom a part of the voter's intention, it shall be the duty of the judges to count such part.
- (2) Following the counting, the judges must transmit a copy of the results to the county clerk.
- (3) In no event shall the results of any count be released to the public until all voting places in the state have closed on election day.
- (4) The secretary of state shall issue directives or promulgate administrative rules adopting standards that define what constitutes a vote and what will be counted as a vote for each category of voting systems used in this state. (History: S.L. 1970, Ch. 140; S.L. 1981, Ch. 109; S.L. 2003, Ch. 48; S.L. 2016, Ch. 272)
- **34-1204. Transmission of supplies to county clerk.** After the counting of the votes, the judges of the election shall enclose and seal the combination election record and poll book, tally books, all ballot stubs, unused ballot books, and other supplies in a suitable container and deliver them to the county clerk's office. If the office of the county clerk is closed, the articles shall be delivered to the sheriff or one (1) of his deputies who shall deliver them to the county clerk no later than the day after the election. (History: S.L. 1970, Ch. 140; S.L. 1972, Ch. 193)
- **34-1205.** County board of canvassers Meetings. The county board of commissioners shall be the county board of canvassers and the county clerk shall serve as their secretary for this purpose. The county board of canvassers shall meet within seven (7) days after a primary or presidential primary election and within ten (10) days after a general election for the purpose of canvassing the election returns of all precincts within the county. (History: S.L. 1970, Ch. 140; S.L. 1972, Ch. 193; S.L. 1975, Ch. 174; S.L. 2012, Ch. 33; S.L. 2015, Ch. 292)
- **34-1206. Board's statement of votes cast.** The board shall examine and make a statement of the total number of votes cast for all candidates or special questions that shall have been voted upon at the election. The statement shall set forth the special questions and the names of the candidates for whom the votes have been cast. It shall also include the total number of votes cast for each candidate for office by precinct or polling location for elections conducted pursuant to chapter 14, title 34, Idaho Code,

and the total number of affirmative and negative votes cast for any special question by precinct or polling location for elections conducted pursuant to chapter 14, title 34, Idaho Code. The board shall certify that such statement is true, subscribe their names thereto, and deliver it to the county clerk. (History: S.L. 1970, Ch. 140; S.L. 2012, Ch. 211)

34-1207. Abstracts of returns. After the canvass of the votes for each office the board shall cause the county clerk to make abstracts of the returns for each candidate which shall then be signed by each member of the board. The abstracts shall be in a form prescribed by the secretary of state and be uniform throughout the state.

The county clerk, by registered mail, shall forward to the secretary of state the abstracts for all candidates for federal, state or district offices. (History: S.L. 1970, Ch. 140)

34-1208. Certificates of nomination or election. Immediately after the primary election canvass the county clerk shall issue certificates of nomination to the political party candidates of each party who receive the highest number of votes for their particular county office, and the candidates so certified shall have their names placed on the general election ballot. On or before the eighth day after the primary election canvass, the county clerk shall issue certificates of election to the precinct committeemen of each political party who receive the highest number of votes in their precinct. Provided that to be elected, a precinct committeeman shall receive a minimum of five (5) votes. In the event no candidate receives the minimum number of votes required to be elected, a vacancy in the office shall exist and shall be filled as otherwise provided by law. The county clerk shall also certify by registered mail the results of the primary election to the secretary of state. The form for such certificate shall be prescribed by the secretary of state and be uniform throughout the state. (History: S.L. 1970, Ch. 140; S.L. 1975, Ch. 174; S.L. 1977, Ch. 17; S.L. 1979, Ch. 309; S.L. 1991, Ch. 117; S.L. 2012, Ch. 33)

34-1209. Certificates of election to county candidates after general election. Immediately after the general election canvass, the county clerk shall issue a certificate of election to the county candidates who received the highest number of votes for that particular office and they shall be considered duly elected to assume the duties of the office for the next ensuing term. (History: S.L. 1970, Ch. 140)

- **34-1210.** Tie votes in county elections. In the case of a tie vote between candidates at a primary election or general election, the interested candidates shall appear before the county clerk within two (2) days after the canvass and the tie shall be determined by a toss of a coin. (History: S.L. 1970, Ch. 140)
- **34-1211. State board of canvassers Meetings.** The secretary of state, state controller and state treasurer shall constitute the state board of canvassers. The functions of the board shall be election functions, and the secretary of state shall be chairman of the board. The state board of canvassers shall meet within fifteen (15) days after the primary election and within fifteen (15) days after the general election in the office of the secretary of state for the purpose of canvassing the abstracts of votes cast for all

candidates for federal, state and district offices. (History: S.L. 1970, Ch. 140; S.L. 1972, Ch. 193; S.L. 1974, Ch. 5; S.L. 1994, Ch. 181)

34-1212. Examination and certification of county canvasses by state board. The board shall examine the abstracts of votes from the county canvasses and make a statement of the total number of votes cast for all federal, state and district candidates or special questions that shall have been voted upon at the election. The statement shall set forth the special questions and the names of the candidates for whom the votes have been cast. It shall also include the total number of votes cast for each candidate for office by county and legislative district, and the total number of affirmative and negative votes cast for any special question by county. The board shall certify that such statement is true, subscribe their names thereto, and deliver it to the secretary of state. (History: S.L. 1970, Ch. 140)

- **34-1213.** Certification of canvass of abstracts by board. After the canvass of the abstracts, the board shall make a statement of the total number of votes cast at any such election for all the candidates for federal, state or district offices, which statement shall show the names of the persons to whom such votes shall have been cast for the particular offices and the total number cast to each, distinguishing the several districts, counties and precincts in which they were given. They shall certify such statement to be correct, and subscribe their names thereto. (History: S.L. 1970, Ch. 140)
- **34-1214.** Certificates of nomination or election to federal, state, district or nonpartisan offices after primary. (1) Immediately after the primary election canvass, the secretary of state shall issue certificates of nomination to the political party candidates of each party who receive the highest number of votes for their particular federal, state or district office. The candidates so certified shall have their names placed on the general election ballot.
- (2) Immediately after the primary election canvass, the secretary of state shall issue certificates of nomination to the nonpartisan candidate or candidates who receive the highest number of votes for the number of vacancies which are to be filled for a particular office and also to the same number of candidates who receive the second highest number of votes for the particular office. The candidates so certified shall have their names placed on the general election ballot. If it appears from the canvass that a particular candidate has received a majority of the total vote cast for the particular office, he shall be issued a certificate of election instead of a certificate of nomination and no candidates shall run for the particular office in the general election. (History: S.L. 1970, Ch. 140)
- **34-1215.** Certificates of election to federal, state and district offices after general election. Immediately after the general election canvass, the secretary of state shall issue certificates of election to the federal, state and district candidates who received the highest number of votes for the particular office and they shall be considered duly elected to assume the duties of the office for the next ensuing term. (History: S.L. 1970, Ch. 140)

34-1216. Tie votes — In state or district elections. In the case of a tie vote between the candidates at a primary or general election, the interested parties or their authorized agents shall appear before the secretary of state within two (2) days after the canvass and the tie shall be determined by a toss of a coin. (History: S.L. 1970, Ch. 140)

34-1217. Canvassing returns of judicial elections — Certificates of nomination or election. The board of county commissioners shall canvass the returns of the judicial nominating election at the time the returns of the primary election are canvassed, shall determine, and cause the county clerk to certify to the secretary of state, the result of said judicial nominating election. In such certificate the clerk shall set forth, following the name of each justice of the Supreme Court and each district judge for whom a successor is to be elected at the general election in that year, the vote received by each person who had declared himself to be, and who had been voted for as, a candidate to succeed such justice or district judge.

The returns so made to the secretary of state by the county clerk shall be canvassed by the state board of canvassers at the time the other returns of said primary election are canvassed.

If it appears to the state board of canvassers upon the official canvass that at such judicial nominating election any candidate received a majority of all the votes cast for candidates to succeed a particular justice of the supreme court or district judge, said board shall certify to the secretary of state as duly elected to such office the name of the candidate who received such majority and such candidate whose name is so certified shall receive and the secretary of state shall issue and deliver to him a certificate of election to such office and he shall not be required to stand for election at the general election following.

In the event no candidate received a majority of all votes cast for candidates to succeed a particular justice of the supreme court or a particular district judge, the two (2) candidates receiving the greater number of votes cast for all candidates to succeed such justice of the supreme court or such district judge shall be and shall be declared to be nominees to succeed such justice or such district judge and their names as such nominees shall be placed on the official judicial ballot at the general election next following. The secretary of state shall certify the names of such nominees, including with each the name of the incumbent in office whom such candidates were nominated to succeed, to the county clerks at the time he certifies the names of candidates for other offices certified by him; provided, however, if another be appointed to succeed the incumbent person named on such judicial nominating ballot, the secretary of state shall insert in such certificate or in amendment thereto the name of the appointee in the place of the name of the incumbent person named on such judicial nominating ballot. (History: S.L. 1970, Ch. 231; S.L. 1971, Ch. 131)

CHAPTER 13 STATE BOARD OF CANVASSERS

34-1301 - 34-1307. [Repealed - S.L. 1970, Ch. 140] (New law contained Chapter 12 herein)

CHAPTER 14 UNIFORM DISTRICT ELECTION LAW

34-1401. Election administration. Notwithstanding any provision to the contrary, the county clerk shall administer all elections on behalf of any political subdivision, subject to the provisions of this chapter, including all special district elections and elections of special questions submitted to the electors as provided in this chapter. Water districts governed by chapter 6, title 42, Idaho Code, recreational water and/ or sewer districts as defined in section 42-3202A, Idaho Code, ground water recharge districts governed by chapter 42, title 42, Idaho Code, ground water management districts governed by chapter 51, title 42, Idaho Code, ground water districts governed by chapter 52, title 42, Idaho Code, and irrigation districts governed by title 43, Idaho Code, are exempt from the provisions of this chapter. Municipal elections shall be conducted under the provisions of this chapter except for the specific provisions of chapter 4, title 50, Idaho Code. All school district and highway district elections shall be conducted pursuant to the provisions of this chapter 14, title 34, Idaho Code. All highway district and school district elections shall be administered by the clerk of the county wherein the district lies. Elections in a joint school district or other political subdivisions that extend beyond the boundaries of a single county shall be conducted jointly by the clerks of the respective counties, and the clerk of the home county shall exercise such powers as are necessary to coordinate the election. "Home county" shall be defined as the county in which the business office for the district or political subdivision is located. For the purposes of achieving uniformity, the secretary of state shall, from time to time, provide directives and instructions to the various county clerks. Unless a specific exception is provided in this chapter, the provisions of this chapter shall govern in all questions regarding the conduct of elections on behalf of all political subdivisions. In all matters not specifically covered by this chapter, other provisions of title 34, Idaho Code, governing elections shall prevail over any special provision which conflicts therewith.

The county clerk shall conduct the elections for political subdivisions and shall perform all necessary duties of the election official of a political subdivision including, but not limited to, notice of the filing deadline, notice of the election, and preparation of the election calendar. (History: S.L. 1992, Ch. 176; S.L. 1993, Ch. 313; S.L. 1993, Ch. 379; S.L. 1996, Ch. 298; S.L. 2009, Ch. 341; S.L. 2010, Ch. 185; S.L. 2011, Ch. 11)

34-1402. Registration. All electors must register with the county clerk before being able to vote in any primary, general, special or any other election conducted in this state. The county clerk shall determine, for each registered elector, the elections for which he is eligible to vote by a determination of the applicable code areas. The determination of tax code area shall be made for all political subdivisions including those otherwise exempt from the provisions of this chapter.

The county clerk shall conform to the provisions of chapter 4, title 34, Idaho Code, in the administration of registration for all political subdivisions within the county. (History: S.L. 1992, Ch. 176; S.L. 2003, Ch. 48; S.L. 2011, Ch. 285)

- **34-1403.** Conduct of elections. All elections conducted in this state on behalf of each political subdivision within the county shall be conducted in a uniform manner with regard to the qualifications of electors and shall be conducted on the dates as provided by law. In the event that a statute governing a political subdivision provides for qualifications more restrictive than the qualifications for an elector in section 34-402, Idaho Code, the election official of the district shall provide an elector's oath to be executed at the time of the election certifying to the elector's qualifications for the specific election. (History: S.L. 1992, Ch. 176; S.L. 1993, Ch. 313)
- **34-1404.** Declaration of candidacy. Candidates for election in any political subdivision shall be nominated by nominating petitions, each of which shall bear the name of the nominee, the office for which the nomination is made, the term for which nomination is made, bear the signature of not less than five (5) electors of the candidate's specific zone or district of the political subdivision, and be filed with the clerk of the political subdivision. The form of the nominating petition shall be as provided by the county clerk and shall be uniform for all political subdivisions. For an election to be held on the third Tuesday in May, in even-numbered years, the nomination petition shall be filed during the period specified in section 34-704, Idaho Code. The clerk of the political subdivision shall verify the qualifications of the nominees and shall, no more than seven (7) days after the close of filing, certify the nominees to be placed on the ballot of the political subdivision. For an election to be held on the first Tuesday after the first Monday of November, in even-numbered years, the nomination shall be filed on or before September 1. The clerk of the political subdivision shall verify the qualifications of the nominees and shall, no later than seven (7) days after the close of filing, certify the nominees to be placed on the ballot of the political subdivisions. For all other elections, the nomination shall be filed not later than 5:00 p.m. on the ninth Friday preceding the election for which the nomination is made. The clerk of the political subdivision shall verify the qualifications of the nominee and shall, not more than seven (7) days following the filing, certify the nominees to be placed on the ballot of the political subdivision. (History: S.L. 1993, Ch. 313; S.L. 2009, Ch. 341; S.L. 2010, Ch. 185; S.L. 2011, Ch. 11; S.L. 2014, Ch. 162)
- **34-1405.** Notice of election filing deadline. (1) Not more than fourteen (14) nor less than (7) days preceding the candidate filing deadline for an election, the county clerk shall cause to be published a notice of the forthcoming candidate filing deadline for all taxing districts. The notice shall include not less than the name of the political subdivision, the place where filing for each office takes place, and a notice of the availability of declarations of candidacy. The notice shall be published in the official newspaper of the political subdivision.
- (2) The secretary of state shall compile an election calendar annually which shall include not less than a listing of the political subdivisions which will be conducting candidate elections in the forthcoming year, the place where filing for each office takes place, and the procedure for a declaration of candidacy. Annually in December, the county clerk shall cause to be published the election calendar for the county for the following calendar year. This publication shall be in addition to the publication required

by paragraph (1) of this section. The election calendar for the county shall be published in at least two (2) newspapers published within the county, but if this is not possible, the calendar shall be published in one (1) newspaper which has general circulation within the county. Copies of the election calendar shall be available, without charge, from the office of the secretary of state or the county clerk. (History: S.L. 1992, Ch. 176; S.L. 1993, Ch. 313; S.L. 2009, Ch. 341)

34-1405A. Withdrawal of candidacy. A candidate for nomination or candidate for election to an office may withdraw from the election by filing a notarized statement of withdrawal with the officer with whom his declaration of candidacy was filed. The statement must contain all information necessary to identify the candidate and the office sought and the reason for withdrawal. A candidate may not withdraw later than forty-five (45) days before an election. (History: S.L. 2011, Ch. 11)

34-1406. Notice of Election. The county clerk shall give notice for each political subdivision for any election by publishing such notice in the official newspaper of the county. The notice shall state the date of the election, the polling places, and the hours during which the polls shall be open for the purpose of voting. The first publication shall be made not less than twelve (12) days prior to the election, and the last publication of notice shall be made not less than five (5) days prior to the election. For each primary, general and special election, the county clerk shall cause to be published a facsimile, except as to size, of the sample ballot in at least two (2) newspapers published within the county, but if this is not possible, the sample ballot shall be published in one (1) newspaper published within the county or one (1) newspaper that has general circulation within the county. Such publication shall be in conjunction with the second notice of election required by this section. The political subdivision shall notify the county clerk in writing of the official newspaper of the political subdivision. (History: S.L. 1992, Ch. 176; S.L. 1993, Ch. 313; S.L. 2009, Ch. 341; S.L. 2011, Ch. 11)

34-1407. Write-in candidates. No write-in candidate for any nonpartisan elective office shall be counted unless a declaration of intent has been filed indicating that the person desires the office and is legally qualified to assume the duties of the office. The declaration of intent shall be filed with the clerk of the political subdivision not less than forty-five (45) days before the date of the election.

If the statutes governing elections within a specific political subdivision provide that no election shall be held in the event that no more than one (1) candidate has filed for an office, that statute shall be interpreted in such a manner as to allow for filing a declaration of intent for a write-in candidate until forty-five (45) days preceding the election. However, if no candidate has filed within that time, no election shall be held for that political subdivision. The provisions of this section shall not apply to candidates in the primary or general election covered by the provisions of section 34-702A, Idaho Code. (History: S.L. 1992, Ch. 176; S.L. 1993, Ch. 313; S.L. 1997, Ch. 362; S.L. 2011, Ch. 11)

- **34-1408. Absentee ballots.** Any registered elector may vote at any election by absentee ballot as provided in chapter 10, title 34, Idaho Code. In the event of a written application to the county clerk for an absentee ballot, the application shall be deemed to be an application for all ballots to be voted in the election, and the county clerk shall provide the ballot of the political subdivision to the elector. (History: S.L. 1992, Ch. 176; S.L. 2010, Ch. 185)
- **34-1409.** Conduct of election on election day. At all elections conducted by any political subdivision, the polls shall be opened at 8:00 a.m. and remain open until all registered electors of that precinct have appeared and voted or until 8:00 p.m. of the same day, whichever comes first. However, the election official may, at his option, open the polls in his jurisdiction at 7:00 a.m.

All political subdivisions conducting election on the same date shall, whenever practicable, use the same polling places. (History: S.L. 1992, Ch. 176)

- **34-1410.** Canvassing of election results. The board of county commissioners shall conduct the canvass of the election results within ten (10) days after the election, in the manner provided in chapter 12, title 34, Idaho Code. The county clerk shall certify the election results to the clerk of each political subdivision for which an election was held. Each political subdivision shall issue the appropriate certificates of election. (History: S.L. 1992, Ch. 176; S.L. 2010, Ch. 185; S.L. 2011, Ch. 11)
- **34-1411.** Payment of election expenses by county. (1) On and after January 1, 2011, no county shall charge any taxing district, as defined in section 63-201, Idaho Code, for expenses associated with conducting any election on behalf of any taxing district, with the exception of expenses associated with conducting municipal runoff elections, which shall be paid by the city adopting runoff elections pursuant to the provisions of section 50-612 or 50-707B, Idaho Code. Expenses associated with conducting taxing district elections shall include:
- (a) Costs of ballot preparation, distribution, printing and counting, including absentee ballots.
- (b) Costs of printing poll books and costs of tally books, stamps, signs and any other voting supplies, publications and equipment.
- (c) Wages or other compensation for election judges and clerks or any county employees or officials performing duties associated with conducting taxing district elections.
 - (d) Costs paid for renting polling facilities.
- (e) Acquisition, repair, maintenance or any other costs associated with voting machines or vote tally systems as defined in subsections (9) and (10) of section 34-2401, Idaho Code.
 - (f) Costs of publishing and printing election notices and ballots.
- (2) Counties shall not be responsible for any election expenses prior to the time any taxing district orders an election, such as notice and costs for public hearings and notice and costs for public hearings on ballot measures.
 - (3) Notwithstanding the provisions of subsection (1) of this section, all ballot

questions shall be limited to two hundred fifty (250) words or less. If a ballot question is in excess of two hundred fifty (250) words, the entity proposing a ballot question that is not a state constitutional amendment shall be required to pay the ballot printing costs associated with the ballot question. (History: 2009, Ch. 341)

34-1412. Terms of office going beyond the next election date. Notwithstanding any other provision of law to the contrary, whenever a member of the governing board of a taxing district has been elected to a term of office that goes beyond the next election date as provided by statute, such member of the governing board shall be entitled to serve his or her term of office and shall continue to serve until the following election provided by statute. All governing board members elected on and after January 1, 2011, shall serve terms of office beginning and ending as otherwise provided by statute. (History: S.L. 2011, Ch. 11)

34-1413. Procedures for certain political subdivision elections to modify voting procedures. Any county that wishes to modify voting procedures for a political subdivision election shall submit an election plan to the secretary of state for approval for the modified voting procedures to be effective at least forty (40) calendar days prior to an election. The secretary of state shall notify the political subdivision of its approval, disapproval and, if it is disapproved, what remedial measures may be taken that would allow for approval of the voting plan. (History: S.L. 2011, Ch. 285; S.L. 2014, Ch. 162)

CHAPTER 15 PRESIDENTIAL ELECTORS

- **34-1501.** Certificates of election. The secretary of state shall prepare lists of the names of the electors of president and vice-president of the United States, elected at any election, procure thereto the signature of the governor, affix the seal of the state to the same, and deliver one (1) of such certificates thus signed to each of said electors on or before the second Wednesday in December next after such election. (History: 1890-1891, p. 57, section 110; reen. 1899, p. 33, section 101; reen. R.C. & C.L., section 459; C.S., section 643; I.C.A., section 33-1401)
- **34-1502.** Election for presidential electors. There shall be an election held in this state for the election of such electors, at the times appointed by any law of the Congress or the Constitution of the United States for such election, and when such election shall be special, the same shall be called and held, and the votes polled and canvassed, in all respects as at a general election, and the duties of the electors so elected shall be the same as prescribed by law for electors elected at a general election. (History: 1890-1891, p. 57, latter part of section 115; reen. 1899, p. 33, section 102; am. R.C. & C.L., section 460; C.S., section 644; I.C.A., section 33-1402)
- **34-1503. Meeting of electors.** The electors chosen to elect a president and vice-president of the United States shall, at twelve (12) o'clock noon on the day which is or

may be directed by the Congress of the United States, meet at the seat of government of this state, and then and there perform the duties enjoined upon them by the Constitution and laws of the United States. (History: 1890-1891, p. 57, section 111; reen. 1899, p. 66, section 1; am. R.C. & C.L., section 461; C.S., section 645; I.C.A., section 33-1403)

- 34-1504. Notice to governor Vacancies, how filled. Each elector of president and vice-president of the United States shall, before the hour of twelve (12) o'clock on the day next preceding the day fixed by the law of Congress to elect a president and vice-president, give notice to the governor that he is at the seat of government and ready at the proper time to perform the duties of an elector; and the governor shall forthwith deliver to the electors present a certificate of all the names of the electors; and if any elector named therein fails to appear before nine (9) o'clock on the morning of the day of election of president and vice-president as aforesaid, the electors then present shall immediately proceed to elect, by ballot, in the presence of the governor, persons to fill such vacancies. (History: 1890-1891, p. 57, section 112; reen. 1899, p. 66, section 2; am. R.C. & C.L., section 462; C.S., section 646; I.C.A., section 33-1404)
- 34-1505. Filling vacancies Tie vote. If more than the number of persons required to fill the vacancies, as aforesaid, have the highest and an equal number of votes, then the governor, in the presence of the electors attending, shall decide by lot which of said persons shall be elected; otherwise they, to the number required, having the greatest number of votes, shall be considered elected to fill such vacancies. (History: 1890-1891, p. 57, section 113; reen. 1899, p. 66, section 3; reen. R.C. & C.L., section 463; C.S., section 647; I.C.A., section 33-1405)
- **34-1506. Notification of election to fill vacancy.** Immediately after such choice is made the names of the persons so chosen shall forthwith be certified to the governor by the electors making such choice; and the governor shall cause immediate notice to be given in writing to the electors chosen to fill such vacancies; and the said persons so chosen shall be electors, and shall meet the other electors at the same time and place, and then and there discharge all and singular the duties enjoined on them as electors aforesaid by the Constitution and laws of the United States and of this state. (History: 1890-1891, p. 57, section 114; reen. 1899, p. 66, section 4; reen. R.C. & C.L., section 464; C.S., section 648; I.C.A., section 33-1406)
- **34-1507.** Compensation and mileage of electors. Every elector of this state for the election of president and vice president of the United States, hereafter elected, who shall attend and give his vote for those offices at the time and place appointed by law, shall be compensated as provided by section 59-509(d), Idaho Code. (History: 1890-1891, p. 57, section 115; reen. 1899, p. 66, section 5; am. R.C. & C.L., section 465; C.S., section 649; I.C.A., section 33-1407; S.L. 1980, Ch. 247)

CHAPTER 16 SPECIAL ELECTIONS

34-1601 - 34-1605. [Repealed - S.L. 1970, Ch. 140]

(New law contained throughout Title 34 with laws governing General Election applicable)

CHAPTER 17 RECALL ELECTIONS

- **34-1701. Officers subject to recall.** The following public officers, whether holding their elective office by election or appointment, and none other, are subject to recall:
 - (1) State officers:
- (a) The governor, lieutenant-governor, secretary of state, state controller, state treasurer, attorney general, and superintendent of public instruction;
- (b) Members of the state senate, and members of the state house of representatives.
 - (2) County officers:
- (a) The members of the board of county commissioners, sheriff, treasurer, assessor, prosecuting attorney, clerk of the district court, and coroner.
 - (3) City officers:
 - (a) The mayor;
 - (b) Members of the city council.
- (4) Special district elected officers for whom recall procedure is not otherwise provided by law. (History: S.L. 1972, Ch. 283; S.L. 1975, Ch. 137; S.L. 1994, Ch. 181; S.L. 1995, Ch. 266)
- **34-1702.** Required signatures on petition. A petition for recall of an officer shall be instituted by filing with the appropriate official a verified written petition requesting such recall.
- (1) If the petition seeks recall of any of the officers named in subsection (1)(a) of section 34-1701, Idaho Code, the petition shall be filed with the secretary of state, and must be signed by registered electors equal in number to twenty percent (20%) of the number of electors registered to vote at the last general election held to elect a governor.
- (2) If the petition seeks recall of any of the officers named in subsection (1)(b) of section 34-1701, Idaho Code, the petition shall be filed with the secretary of state, and must be signed by registered electors of the legislative district equal in number to twenty percent (20%) of the number of electors registered to vote at the last general election held in the legislative district at which the member was elected.
- (3) If the petition seeks recall of any of the officers named in subsection (2)(a) of section 34-1701, Idaho Code, the petition shall be filed with the county clerk, and must be signed by registered electors of the county equal in number to twenty percent (20%) of the number of electors registered to vote at the last general election held in the county for the election of county officers at which the officer was elected.
- (4) If the petition seeks recall of any of the officers named in subsection (3) of section 34-1701, Idaho Code, the petition shall be filed with the city clerk, and must

be signed by registered electors of the city equal in number to twenty percent (20%) of the number of electors registered to vote at the last general city election held in the city for the election of officers.

(5) If the petition seeks recall of any of the officers named in subsection (4) of section 34-1701, Idaho Code, the petition shall be filed with the county clerk of the county wherein the district is located. If the district is located in two (2) or more counties, the clerk in each county shall perform the functions within that county. The petition must be signed by registered electors of the district or school trustee zone equal in number to fifty percent (50%) of the number of electors who cast votes in the last election of the district or school trustee zone. If no district election has been held in the last six (6) years, the petition must be signed by twenty percent (20%) of the number of electors registered to vote in the district or school trustee zone at the time the petition is filed. (History: S.L. 1972, Ch. 283; S.L. 1995, Ch. 266; S.L. 2003, Ch. 57; S.L. 2012, Ch. 211)

34-1703. Form of petition. (1) The recall petition for state officers other than members of the state legislature shall be in substantially the following form:

RECALL PETITION

To the honor	able	, Secretary of	State for t	he State of Idaho:	
We, the under	rsigned citizens and	d registered elec	tors of the	State of Idaho respe	ectfully
demand that	, holding t	he office of	, b	e recalled by the reg	gistered
				g out the reasons fo	
		•	` '	r be called; that w	
		•		ho; my residence a	
•	_			y written after my	
	Printed Name	-			
υ		Street and	,		
		Number			
	(Here follow tw	enty numbered	lines for s	ignatures.)	
		J		8)	
(2) The reca	ll petition for mem	bers of the state	e legislatu	re shall be in substa	antially
the following for	•		8		J
8		DECALI DETI	TION		
	ı	RECALL PETI	HON		
т. 4. 1	.1.1.	0	C	C4.4. CI1.1.	
	able,				.т.
	-	-		egislative District 1	
				, be r	
	i electors of Legis	slative District	No 1	for the following re	easons
to-wit:			200	43.4.	
				ds); that a special e	
		•	_	ered elector of Legi	
District No	_, my residence add	dress including of	city, and the	e date I signed this p	etition

are correctly	y writ	ten after my nam	e.			
Signatur	re	Printed Name	Residence Street and Number	City	Date	
		(Here follow tw	enty numbered	lines for sig	gnatures.)	
	reca	ll petition for cou	inty officers sha	ıll be in sul	ostantially the fol	llowing
form:						
		J	RECALL PETIT	ΓΙΟΝ		
We, the respectfully	under dema	signed citizens are and that	nd registered ele , holding the	ectors of the office of	County of, of the	, County
		sons, to-wit:			-	
therefor be of	called , 1	e reasons for reca; ; that we, each for my residence addit ten after my nam	himself say: I a ress including ci	am a registe	red elector of the	County
Signatui	re	Printed Name	Residence Street and	City	Date	
			Number			
		(Here follow tw	enty numbered	lines for sig	gnatures.)	
(4) The form:	e reca	all petition for ci	ty officers shal	l be in sub	stantially the fol	llowing
		I	RECALL PETIT	ΓΙΟΝ		
To the h	onora	ible,	City Clerk for t	the City of	:	
we, the respectfully	unde dem	rsigned citizens a and that be recalled by the	and registered e , holding the registered elec	e office of the	ne City of, of t	he City
the following	ig rea	sons, to-wit:				
therefor be	called	l; that we, each fo	or himself say:	I am a regis	stered elector of t	he City
		my residence addi ten after my nam		ity, and the c	iate i signed tilis	решион
		•	Residence Street and	City	Date	
		/II C 11	Number	1		
		(Here follow tw	enty numbered	lines for sig	gnatures.)	

(5) The recall petition for special district officers shall be in substantially the following form:

RECALL PETITION

To the honor	able,	County Clerk of	of the Coun	ty of	:
We, the unde	rsigned citizens an	d registered ele	ctors of (he	re insert the of	ficial name
of the district), re	spectfully demand	that	_, holding t	the office of	
of the (district),	be recalled by the	registered elect	ors of the (d	listrict) for the	e following
reasons, to-wit:					
(insert the re	asons for the recal	ll in two hundre	ed 200 word	ds or less); tha	at a special
election therefor	be called, that we	e, each for hims	elf say: I a	m a registered	d elector of
the (district), my	y residence addres	s including city	, and the d	ate I signed th	his petition
are correctly wri	tten after my nam	e.			
Signature	Printed Name	Residence	City	Date	
		Street and			
		Number			
	(Here follow tw	enty numbered	lines for sig	gnatures.)	
(History: S.	L. 1972, Ch. 283;	S.L. 1989, Ch.	344; S.L. 1	995, Ch. 266;	S.L. 2013,
Ch. 135)				•	

- **34-1704.** Printing of petition and sheets for signatures Time limits for perfecting petition. (1) Before or at the time of beginning to circulate any petition for the recall of any officer subject to recall, the person or persons, organization or organizations under whose authority the recall petition is to be circulated, shall send or deliver to the secretary of state, county clerk, or city clerk, as the case may be, a copy of a prospective petition duly signed by at least twenty (20) electors eligible to sign such petition. The receiving officer shall immediately examine the petition and specify the form and kind and size of paper on which the petition shall be printed and circulated for further signatures. All petitions and signature sheets for recall shall be printed on a good quality bond paper of standardized size in substantial conformance within the provisions of section 34-1703, Idaho Code. To every sheet of petitioners' signatures shall be attached a full and correct copy of the recall petition.
- (2) The secretary of state, county clerk, or city clerk, as the case may be, shall indicate in writing on the prospective recall petition that he has approved it as to form and the date of such approval. Upon approval as to form, the secretary of state, county clerk, or city clerk, shall inform the person or persons, organization or organizations under whose authority the recall petition is to be circulated, in writing, that the petition must be perfected with the required number of signatures within seventy-five (75) days following the date of approval as to form. Signatures on the prospective petition shall not be counted toward the required number of signatures. Any petition that does not contain the required number of signatures within the seventy-five (75) days allowed shall be declared null and void ab initio in its entirety. (History: S.L. 1972, Ch. 283; S.L. 1975, Ch. 137; S.L. 2004, Ch. 164; S.L. 2013, Ch. 135)

34-1705. Verification on sheets for signatures. Each and every signature sheet of each petition containing signatures shall be verified on the face thereof in substantially the following form by the person who circulated said sheet of the petition, by his or her affidavit thereon, as a part thereof:

State of Idaho

SS.	
County of	
I,	, swear, under penalty of perjury, that I
am a resident of the State	of Idaho and at least eighteen (18) years of age; and that every
person who signed this sl	neet of the foregoing petition signed his or her name thereto
in my presence. I believe	that each has stated his or her name and the accompanying
• •	he signature sheet correctly, and that the person was eligible
to sign this petition.	
0 1	(Signature)
	Post office address
Subscribed and sworn (Notary Seal)	to before me this day of,
	Notary Public
	Residing at
(History: S.I. 1072.)	Ch. 283: S.L. 2004. Ch. 164)
11115101 V. S.L. 17/2. C	/II, 40J, B.L. 400T, CII, 10T1

34-1706. Examination and certification of signatures. All petitions with attached signature sheets shall be filed on the same day with the secretary of state, county clerk, or city clerk, as the case may be. The secretary of state or the city clerk shall promptly transmit the petitions and attached signature sheets to the county clerk. An examination to verify whether or not the petition signers are qualified electors shall be conducted by the county clerk and a certificate shall be attached to the signature sheets as provided in section 34-1807, Idaho Code. This examination shall not exceed fifteen (15) business days from the date of receipt of the petitions. (History: S.L. 1972, Ch. 283; S.L. 1975, Ch. 137; S.L. 1995, Ch. 266; S.L. 2004, Ch. 164; S.L. 2013, Ch. 135)

34-1707. Sufficiency of petition — Notification — Effect of resignation — Special election.

- (1) In the event that a petition filed with the secretary of state is found by the secretary of state to contain the required number of certified signatures, the secretary of state shall promptly provide written notice to the officer being recalled, and the petitioner informing them, that the recall petition is in proper form.
 - (a) If the officer being recalled resigns his office within five (5) business days after notice from the secretary of state, his resignation shall be accepted and the resignation shall take effect on the day it is offered, and the vacancy shall be filled as provided by law.
 - (b) If the officer being recalled does not resign his office within five (5) business days after notice from the secretary of state, a special election shall be ordered by the secretary of state, unless he is the officer being recalled, in which event the

governor shall order such special election. The special election must be held on the date prescribed in section 34-106, Idaho Code. If the officer being recalled is one (1) specified in section 34-1701(1)(a), Idaho Code, the special election shall be conducted statewide. If the officer being recalled is one (1) specified in section 34-1701(1)(b), Idaho Code, the special election shall be conducted only in the legislative district.

- (2) In the event that a petition filed with the county clerk is found by the county clerk to contain the required number of certified signatures, the county clerk shall promptly provide written notice to the officer being recalled, and the petitioner, informing them that the recall petition is in proper form.
 - (a) If the officer being recalled resigns his office within five (5) business days after notice from the county clerk, his resignation shall be accepted and the resignation shall take effect on the day it is offered, and the vacancy shall be filled as provided by law.
 - (b) If the officer being recalled does not resign his office within five (5) business days after notice from the county clerk, a special election shall be ordered by the county clerk. The special election must be held on the date prescribed in section 34-106, Idaho Code. The special election shall be conducted countywide.
- (3) In the event that a petition filed with the county clerk concerning the recall of an official of a special district is found by the county clerk to contain the required number of certified signatures, the county clerk shall promptly provide written notice to the officer being recalled, and the petitioner, and the governing board of the special district informing them that the recall petition is in proper form.
 - (a) If the officer being recalled resigns his office within five (5) business days after notice from the county clerk, his resignation shall be accepted and the resignation shall take effect on the day it is offered, and the vacancy shall be filled as provided by law.
 - (b) If the officer being recalled does not resign his office within five (5) business days after notice from the county clerk, a special election shall be ordered by the governing board of the special district. The special election must be held on the date prescribed in section 34-106, Idaho Code. The election shall be conducted by the county clerk in the manner provided in section 34-1401, Idaho Code.
- (4) In the event that a petition filed with the city clerk is found by the city clerk to contain the required number of certified signatures, the city clerk shall promptly provide written notice to the officer being recalled, and the petitioner, informing them that the recall petition is in proper form.
 - (a) If the officer being recalled resigns his office within five (5) business days after notice from the city clerk, his resignation shall be accepted and the resignation shall take effect on the day it is offered, and the vacancy shall be filled as provided by law.
 - (b) If the officer being recalled does not resign his office within five (5) business days after notice from the city clerk, a special election shall be ordered by the city clerk. The special election must be held on the date prescribed in section 34-106, Idaho Code. The election shall be conducted by the county clerk in the manner provided in section 34-1401, Idaho Code, and shall be conducted citywide.

- (5) In the event that a petition is found not to have the required number of signatures, the officer shall continue in office and no new recall petition may be circulated for a period of ninety (90) days against the same officer. (History: S.L. 1972, Ch. 283; S.L. 1975, Ch. 137; S.L. 1989, Ch. 344; S.L. 1993, Ch. 313; S.L. 1994, Ch. 54; S.L. 1995, Ch. 266; S.L. 2004, Ch. 164; S.L. 2012, Ch. 211; S.L. 2013, Ch. 135)
- **34-1708.** Form of recall ballot. The ballot at any recall election shall be headed "RECALL BALLOT" and on the ballot shall be printed in not more than two hundred (200) words the reason for demanding the recall of the officer named in the recall petition, and in not more than two hundred (200) words the officer's justification of his course in office. Then the question of whether the officer should be recalled shall be placed on the ballot in a form substantially similar to the following:

	FOR recalling	who holds office of	
	AGAINST recalling	who holds office of	
(His	story: S.L. 1972, Ch. 283	: S.L. 1989, Ch. 344)	

- **34-1709. Officer to continue in office.** The officer named in the recall petition shall continue to perform the duties of his office until the results of the special recall election are officially declared. (History: S.L. 1972, Ch. 283)
- **34-1710. Conduct of Special recall election.** Special elections for the recall of an officer shall be conducted and the results thereof canvassed and certified in all respects as general elections, except as otherwise provided. Nothing in this chapter shall preclude the holding of a recall election with another election. (History: S.L. 1972, Ch. 283; S.L. 1989, Ch. 344; S.L. 1995, Ch. 118)
- **34-1711.** Canvass of returns. (1) The board of county commissioners shall act as the board of canvassers for all special recall elections that involve elections held wholly or partly within their county.
- (a) For all special recall elections involving state officers, the board of county commissioners shall meet within ten (10) days after said election to canvass the votes cast at such election, and shall immediately transmit to the secretary of state an abstract of the votes cast.
- (b) Within fifteen (15) days following the special recall election held to recall a state officer, the state board of canvassers shall meet and canvass the votes cast at such election, and the secretary of state shall immediately after the completion thereof, proclaim the results.
- (c) For all special recall elections involving county officers, the board of county commissioners shall meet within ten (10) days after said election to canvass the votes cast at such election, and the county clerk shall immediately after the completion thereof, proclaim the results.
- (d) For all special recall elections involving city or special district officials, the board of county commissioners shall meet within ten (10) days after said election to canvass the votes cast at such election, and the county clerk shall immediately after the completion thereof, proclaim the results. The county clerk shall certify the results of the

recall election to the clerk of the political subdivision for which the election was held. (History: S.L. 1972, Ch. 283; S.L. 2004, Ch. 164; S.L. 2013, Ch. 135)

- **34-1712. General Election Laws Control.** (1) The provisions relating to general elections, including the payment of expenses of conducting the recall election, shall govern special recall elections except where otherwise provided.
- (2) Whenever a special recall election is ordered, notice must be issued in the same manner as for a general election.
- (3) To recall any officer, a majority of the votes cast at the special recall election must be in favor of such recall, and additionally, the number of votes cast in favor of the recall must equal or exceed the votes cast at the last general election for that officer. If the officer was appointed or was not required to stand for election, then a majority of the votes cast in the recall election shall be the number necessary for recall.
- (4) If recalled, an officer shall be recalled as of the time when the results of the special recall election are proclaimed, and a vacancy in the office shall exist.
- (5) If an officer is recalled from his office the vacancy shall be filled in the manner provided by law for filling a vacancy in that office arising from any other cause. (History: S.L. 1972, Ch. 283; S.L. 1975, Ch. 137; S.L. 2003, Ch. 57; S.L. 2013, Ch. 135)

34-1713. Time Within Which Recall May Be Filed — Removal of Signatures.

- (1) No petition for a recall shall be circulated against any officer until he has actually held office under the current term for at least ninety (90) days.
- (2) After one (1) special recall election, no further recall petition shall be filed against the same officer during his current term of office, unless the petitioners first pay into the public treasury which has paid such special recall election expenses the whole amount of the expenses for the preceding recall election. The specific reason for recall in one (1) recall petition for which an election has been held cannot be the basis for a second recall petition during that current term of office.
- (3) The signer of any recall petition may remove his own name from the petition by crossing out, obliterating, or otherwise defacing his own signature at any time prior to the time when the petition is filed. (History: S.L. 1972, Ch. 283; S.L. 1975, Ch. 137; Ch. 2004, Ch. 164; S.L. 2013, Ch. 135)

34-1714. Prohibited Acts — **Penalties.** (1) A person is guilty of a felony who:

- (a) Signs any name other than his own to any recall petition;
- (b) Knowingly signs his name more than once on the same recall petition;
- (c) Knowingly signs his name to any recall petition for the recall of any state, county or city officer if he is not a registered elector;
- (d) Wilfully or knowingly circulates, publishes or exhibits any false statement or representation concerning the contents, purport or effect of any recall petition for the purpose of obtaining any signature to any such petition, or for the purpose of persuading any person to sign any such recall petition.
 - (e) Presents to any officer for filing any recall petition to which is attached, appended

or subscribed any signature which the person so filing such petition knows to be false or fraudulent, or not the genuine signature of the person purporting to sign such petition, or whose name is attached, appended or subscribed thereto;

- (f) Circulates or causes to circulate any recall petition, knowing the same to contain false, forged or fictitious names;
- (g) Makes any false affidavit concerning any recall petition or the signatures appended thereto;
 - (h) Offers, proposes or threatens for any pecuniary reward or consideration;
 - (i) To offer, purpose, threaten or attempt to sell, hinder or delay any recall petition or any part thereof or any signatures therein;
 - (ii) To offer, propose or threaten to desist from beginning, promoting or circulating any recall petition;
 - (iii) To offer, propose, attempt or threaten in any manner or form to use any recall petition or any power of promotion or opposition in any manner or form for extortion, blackmail or secret or private intimidation of any person or business interest.
 - (2) A public officer is guilty of a felony of the third degree, who:
- (a) Knowingly make any false return, certification or affidavit concerning any recall petition, or the signatures appended thereto. (History: S.L. 1972, Ch. 283; S.L. 1972, Ch. 382)

34-1715. Refusal to accept petition — **Mandate** — **Injunction.** If the secretary of state, county clerk, or city clerk, refuses to accept and file any petition for the recall of a public officer, with the requisite number of eligible signatures, any citizen may apply within ten (10) business days after such refusal to the district court for a writ of mandamus to compel him to do so. If it shall be decided by the court that such petition is legally sufficient, the secretary of state, county clerk, or city clerk shall then accept and file the recall petition, with a certified copy of the judgement attached thereto, as of the date on which it was originally offered for filing in his office, except that the time limitations required by section 34-1704 (2), Idaho Code, shall begin to run only as of the date of the court judgement, which shall be so stated in the judgement. On a showing that the petition is not legally sufficient, the court may enjoin the secretary of state, county clerk, or city clerk, and all other officers from certifying or printing any official ballot for a recall election. All such suits shall be advanced on the court docket and heard and decided by the court as quickly as possible. Either party may appeal to the court of appeals within ten (10) business days after a decision is rendered. The district court of the state of Idaho in and for Ada County shall have jurisdiction in all cases involving the recall of state officers. (History: S.L. 1972, Ch. 283; S.L. 2004, Ch. 164)

CHAPTER 18 INITIATIVE AND REFERENDUM ELECTIONS

34-1801. Statement of legislative intent and legislative purpose. The legislature of the state of Idaho finds that there have been incidents of fraudulent and misleading practices in soliciting and obtaining signatures on initiative or referendum petitions, or both, that false signatures have been placed upon initiative or referendum petitions, or both, that difficulties have arisen in determining the identity of petition circulators and that substantial danger exists that such unlawful practices will or may continue in the future. In order to prevent and deter such behavior, the legislature determines that it is necessary to provide easy identity to the public of those persons who solicit or obtain signatures on initiative or referendum petitions, or both, and of those persons for whom they are soliciting and obtaining signatures and to inform the public concerning the solicitation and obtaining of such signatures. It is the purpose of the legislature in enacting this act to fulfill the foregoing statement of intent and remedy the foregoing practices. (History: S.L. 1997, Ch. 266)

34-1801A. Petition. The following shall be substantially the form of petition for any law proposed by the initiative:

WARNING

It is a felony for anyone to sign any initiative or referendum petition with any name other than his own, or to knowingly sign his name more than once for the measure, or to sign such petition when he is not a qualified elector.

INITIATIVE PETITION

To the Honorable , Secretary of State of the State of Idaho:

"We, the undersigned citizens and qualified electors of the State of Idaho, respectfully demand that the following proposed law, to-wit: (setting out full text of measure proposed) shall be submitted to the qualified electors of the State of Idaho, for their approval or rejection at the regular general election, to be held on the day of , A.D., , and each for himself says: I have personally signed this petition; I am a qualified elector of the State of Idaho; my residence and legislative district are correctly written after my name.

Signature	Printed Name	Residence	City	Date	Legislative
		Street and			District
		Number			Official
					use only

(Here follow twenty numbered lines for signatures.)

The petition for referendum on any act passed by the state legislature of the state of Idaho shall be in substantially the same form with appropriate title and changes, setting out in full the text of the act of the legislature to be referred to the people for their approval or rejection. (History: S.L. 1933, Ch. 210; S.L. 1988, Ch. 48; S.L. 1997, Ch. 266; S.L. 2013, Ch. 214; S.L. 2013, Ch. 336)

- **34-1801B. Initiative and referendum procedures for cities.** Each city shall allow direct legislation by the people through the initiative and referendum. Cities shall follow the procedures set forth in this chapter subject to the following provisions:
 - (1) The city attorney shall perform the duties assigned to the attorney general.
 - (2) The city clerk shall perform those duties assigned to the secretary of state.
- (3) City initiative and referendum elections shall be held on the Tuesday following the first Monday in November in odd-numbered years.
- (4) An action brought pursuant to section 34-1809, Idaho Code, challenging the ballot title or short title shall be brought in the district court in the county in which the city is located.
- (5) Pursuant to section 34-1809, Idaho Code, the city attorney shall prepare recommendations concerning revision of the initiative or referendum, issue a certificate of review to the city clerk, and shall prepare the ballot title and short title.
- (6) To be eligible to sign a petition for city initiative or referendum a person shall be a qualified elector of the city at the time of signing thereon.
- (7) To perfect a petition for city initiative or referendum the petition shall have signatures from at least twenty percent (20%) of the total number of qualified electors voting in the last general city election in November of an odd-numbered year.
- (8) The provisions of section 34-1805, Idaho Code, relating to the number of required signatures and geographic distribution of signatures shall not apply to city initiative or referendum.
- (9) Any person who circulates a petition for city initiative or referendum shall be a resident of the state of Idaho and at least eighteen (18) years of age, and pursuant to section 34-1807, Idaho Code, shall certify their belief that each signer of the petition is a qualified elector of the state of Idaho and the city.
- (10) A copy of all petitions and signature sheets shall be kept by the city clerk as a public record.
- (11) The prospective petition for referendum, as provided by section 34-1804, Idaho Code, shall be filed not more than sixty (60) days following publication of the adopted ordinance as provided by section 50-901, Idaho Code.
- (12) The deadline for submission of signatures to the city clerk is one hundred eighty (180) days after the petitioners for initiative or referendum receive the official ballot title from the city clerk, or April 30 of the year of the initiative or referendum election, whichever is earlier.
- (13) Petitioners must submit the signed initiative or referendum petitions to the county clerk for verification not later than the close of business on the first day of May in the year of the initiative or referendum election, or one hundred eighty (180) days after the petitioners receive the official ballot title from the city clerk, whichever is earlier.
- (14) The county clerk has sixty (60) calendar days to verify the signatures as provided in subsection (3) of section 34-1802, Idaho Code.
- (15) The city council shall have the option to adopt the ordinance proposed by initiative within thirty (30) days after the notification pursuant to section 34-1807, Idaho Code, provided that the petition has the required number of signatures. The city council shall hold a public hearing on the proposed ordinance within the thirty (30) day period, preceded by legal notice published once in the official city newspaper at least seven (7)

days preceding the hearing. If the ordinance is not adopted by the council by the end of the thirty (30) day period, the initiative shall be put on the ballot.

- (16) As provided by sections 34-1812A through 34-1812C, Idaho Code, a voters' pamphlet shall be prepared by the city clerk.
- (17) To be passed into law an initiative or referendum shall be approved by a majority of the votes cast on the measure.
- (18) The mayor shall issue the proclamation provided by section 34-1813, Idaho Code
- (19) The city clerk shall publish an ordinance adopted by initiative or referendum within thirty (30) days after the proclamation by the mayor provided in subsection (18) of this section.
- (20) All city ordinances setting forth procedures for initiative or referendum are void on July 1, 2015.
 - (21) This section does not apply to bond elections. (History: S.L. 2015, Ch. 285)
- 34-1802. Initiative petitions Time for gathering signatures Time for submission of signatures to the county clerk Time for filing. (1) Except as provided in section 34-1804, Idaho Code, petitions for an initiative shall be circulated and signatures obtained beginning upon the date that the petitioners receive the official ballot title from the secretary of state and extending eighteen (18) months from that date or April 30 of the year of the next general election, whichever occurs earlier. The last day for circulating petitions and obtaining signatures shall be the last day of April in the year an election on the initiative will be held.
- (2) The person or persons or organization or organizations under whose authority the measure is to be initiated shall submit the petitions containing signatures to the county clerk for verification pursuant to the provisions of section 34-1807, Idaho Code. The signatures required shall be submitted to the county clerk not later than the close of business on the first day of May in the year an election on the initiative will be held, or eighteen (18) months from the date the petitioner receives the official ballot title from the secretary of state, whichever is earlier.
- (3) The county clerk shall, within sixty (60) calendar days of the deadline for the submission of the signatures, verify the signatures contained in the petitions, but in no event shall the time extend beyond the last day of June in the year an election on the initiative will be held.
- (4) Initiative petitions with the requisite number of signatures attached shall be filed with the secretary of state not less than four (4) months before the election at which they are to be voted upon. (History: S.L. 1933, Ch. 210; S.L. 1997, Ch. 266; S.L. 2011, Ch. 285)
- 34-1803. Referendum petitions Time for filing When election held Effective date of law. Referendum petitions with the requisite number of signatures attached shall be filed with the secretary of state not more than sixty (60) days after the final adjournment of the session of the state legislature which passed on the bill on which the referendum is demanded. All elections on measures referred to the people of the state shall be had at the biennial regular election. Any measure so referred to

the people shall take effect and become a law when it is approved by a majority of the votes cast thereon, and not otherwise. (History: S.L. 1933, Ch. 210)

- **34-1803B. Initiative and referendum petitions Removal of signatures.** (1) The signer of any initiative or referendum petition may remove his or her own name from the petition by crossing out, obliterating or otherwise defacing his or her own signature at any time prior to the time when the petition is presented to the county clerk for signature verification.
- (2) The signer of any initiative or referendum petition may have his or her name removed from the petition at any time after presentation of the petition to the county clerk but prior to verification of the signature, by presenting or submitting to the county clerk a signed statement that the signer desires to have his name removed from the petition. The statement shall contain sufficient information to clearly identify the signer. The county clerk shall immediately strike the signer's name from the petition, and adjust the total of certified signatures on the petition accordingly. The statement shall be attached to, and become a part of the initiative or referendum petition. (History: S.L. 1997, Ch. 266)
- 34-1804. Printing of petition and signature sheets. Before or at the time of beginning to circulate any petition for the referendum to the people on any act passed by the state legislature of the state of Idaho, or for any law proposed by the initiative, the person or persons or organization or organizations under whose authority the measure is to be referred or initiated shall send or deliver to the secretary of state a copy of such petition duly signed by at least twenty (20) qualified electors of the state which shall be filed by said officer in his office, and who shall immediately transmit a copy of the petition to the attorney general for the issuance of the certificate of review as provided in section 34-1809, Idaho Code. All petitions for the initiative and for the referendum and sheets for signatures shall be printed on a good quality of bond or ledger paper in the form and manner as approved by the secretary of state. To every sheet of petitioners' signatures shall be attached a full and correct copy of the measure so proposed by initiative petition; but such petition may be filed by the secretary of state in numbered sections for convenience in handling. Every sheet of petitioners' signatures upon referendum petitions shall be attached to a full and correct copy of the measure on which the referendum is demanded, and may be filed in numbered sections in like manner as initiative petitions. Not more than twenty (20) signatures on one (1) sheet shall be counted. Each signature sheet shall contain signatures of qualified electors from only one (1) county. (History: S.L. 1933, Ch. 210; S.L. 1988, Ch. 48; S.L. 2013, Ch. 214; S.L. 2013, Ch. 336)
- **34-1805.** Sponsors to print petition Number of signers required. After the form of the initiative or referendum petition has been approved by the secretary of state as in sections 34-1801A through 34-1822, Idaho Code, provided, the same shall be printed by the person or persons or organization or organizations under whose authority the measure is to be referred or initiated and circulated in the several counties of the state for the signatures of legal voters. Before such petitions shall be entitled

to final filing and consideration by the secretary of state there shall be affixed thereto the signatures of legal voters equal in number to not less than six per cent (6%) of the qualified electors at the time of the last general election in each of at least eighteen (18) legislative districts; provided however, the total number of signatures shall be equal to or greater than six percent (6%) of the qualified electors of the state at the time of the last general election. (History: S.L. 1933, Ch. 210; S.L. 1997, Ch. 266; S.L. 2007, Ch. 202; S.L. 2013, Ch. 214)

34-1806. Binding of petition and signature sheets — Approved measures to be printed with session laws. When any such initiative or referendum petition shall be offered for filing the secretary of state shall detach the sheets containing the signatures and affidavits and cause them all to be attached to one or more printed copies of the measure so proposed by initiative or referendum petitions. The secretary of state shall file and keep such petitions as official public records. The secretary of state shall cause every such measure so approved by the people to be printed with the general laws enacted by the next ensuing session of the state legislature with the date of the governor's proclamation declaring the same to have been approved by the people. (History: S.L. 1933, Ch. 210; S.L. 1988, Ch. 48)

34-1807. Circulation of petitions - Verification of petition and signature sheets - Comparison of signatures with registration oaths and records - Certain petitions and signatures void. Any person who circulates any petition for an initiative or referendum shall be a resident of the state of Idaho and at least eighteen (18) years of age. Each and every sheet of every such petition containing signatures shall be verified on the face thereof in substantially the following form, by the person who circulated said sheet of said petition, by his or her affidavit thereon, and as a part thereof:

State of Idaho	
)ss.
County of	
I, , being first	t duly sworn, say: That I am a resident of the State of Idaho and at
least eighteen (18)	years of age: that every person who signed this sheet of the foregoing
petition signed his	or her name thereto in my presence: I believe that each has stated
his or her name, ac	ldress and residence correctly, that each signer is a qualified elector
of the State of Idal	no, and a resident of the county of
	Signed
	Post-office address
Subscribed and sw	orn to before me this day of
(Notary Seal)	•
	Notary Public
	Residing at
In addition to	said affidavit the asynty alark shall carefully examine said natitions

In addition to said affidavit the county clerk shall carefully examine said petitions and shall attach to the signature sheets a certificate to the secretary of state substantially as follows:

State of Idaho	
)ss.
County of	
To the honorable	, Secretary of State for the State of Idaho: I,, County Clerk
of County, here	by certify that signatures on this petition are those of qualified
electors in legislativ	ve district number
	Residing at
	Signed
	County Clerk or Deputy.

(Seal of office)

The county clerk shall deliver the petition or any part thereof to the person from whom he received it with his certificate attached thereto as above provided. The forms herein given are not mandatory and if substantially followed in any petition, it shall be sufficient, disregarding clerical and merely technical error.

Any petition upon which signatures are obtained by a person not a resident of the state of Idaho and at least eighteen (18) years of age, shall be void. The definition of resident in section 34-107, Idaho Code, shall apply to the circulators of initiative and referendum petitions. In addition to being a resident, a petition circulator shall be at least eighteen (18) years of age. (History: S.L. 1933, Ch. 210; S.L. 1988, Ch. 48; S.L. 1997, Ch. 266; S.L. 1999, Ch. 47; S.L. 2013, Ch. 214; S.L. 2013, Ch. 336)

34-1808. Filing of petition — Mandate — Injunction. If the secretary of state shall refuse to accept and file any petition for the initiative or for the referendum with the requisite number of signatures of qualified electors thereto attached, any citizen may apply, within ten (10) days after such refusal to the district court for a writ of mandamus to compel him to do so. If it shall be decided by the court that such petition is legally sufficient, the secretary of state shall then file it, with a certified copy of the judgment attached thereto, as of the date on which it was originally offered for filing in his office. On a showing that any petition filed is not legally sufficient, the court may enjoin the secretary of state and all other officers from certifying or printing on the official ballot for the ensuing election the ballot title and numbers of such measure. All such suits shall be advanced on the court docket and heard and decided by the court as quickly as possible. Either party may appeal to the Supreme Court within ten (10) days after a decision is rendered. The district court of the fourth judicial district of the state of Idaho in and for Ada County shall have jurisdiction in all cases of measures to be submitted to the qualified electors of the state at large. (History: S.L. 1933, Ch. 210; S.L. 1988, Ch. 48)

34-1809. Review of initiative and referendum measures by attorney general - Certificate of review prerequisite to assignment of ballot title - Ballot title - Judicial review. (1) After receiving a copy of the petition from the secretary of state as provided in section 34-1804, Idaho Code:

(a) The attorney general may confer with the petitioner and shall, within twenty (20) working days from receipt thereof, review the proposal for matters of substantive import and shall recommend to the petitioner such revision or alteration of the

measure as may be deemed necessary and appropriate.

- (b) The recommendations of the attorney general shall be advisory only and the petitioner may accept or reject them in whole or in part.
- (c) The attorney general shall issue a certificate of review to the secretary of state certifying that he has reviewed the measure for form and style and that the recommendations thereon, if any, have been communicated to the petitioner, and such certificate shall be issued whether or not the petitioner accepts such recommendations. The certificate of review shall be available for public inspection in the office of the secretary of state.
- (2) Within fifteen (15) working days after the issuance of the certificate of review, the petitioner, if he desires to proceed with his sponsorship, shall file the measure, as herein provided, with the secretary of state for assignment of a ballot title and the secretary of state shall thereupon submit to the attorney general two (2) copies of the measure filed.
 - (a) Within ten (10) working days after receiving copies of the petition, the attorney general shall provide ballot titles as provided for below and return one (1) copy of the petition to the secretary of state, with its ballot title.
 - (b) A copy of the ballot title as prepared by the attorney general shall be furnished by the secretary of state with the approved form of any initiative or referendum petition, as provided herein, to the person or persons or organization or organizations under whose authority the measure is initiated or referred.
 - (c) The ballot titles shall be used and printed on the covers of the petition when in circulation; the short title shall be printed in type not less than twenty (20) points on the covers of all such petitions circulated for signatures.
 - (d) The ballot title shall contain:
 - (i) Distinctive short title in not exceeding twenty (20) words by which the measure is commonly referred to or spoken of and which shall be printed in the foot margin of each signature sheet of the petition.
 - (ii) A general title expressing in not more than two hundred (200) words the purpose of the measure.
 - (iii) The ballot title shall be printed with the numbers of the measure on the official ballot.
 - (e) In making the ballot title the attorney general shall, to the best of his ability, give a true and impartial statement of the purpose of the measure and in such language that the ballot title shall not be intentionally an argument or likely to create prejudice either for or against the measure.
- (3) Any person dissatisfied with the ballot title or the short title provided by the attorney general for any measure, may appeal from his decision to the supreme court by petition, praying for a different title and setting forth the reason why the title prepared by the attorney general is insufficient or unfair.
 - (a) No appeal shall be allowed from the decision of the attorney general on a ballot title unless made within twenty (20) days after the ballot title is filed in the office of the secretary of state; provided however, that this section shall not prevent any later judicial proceeding to determine the sufficiency of such title, nor shall it prevent any judicial decision upon the sufficiency of such title.

- (b) A copy of every such ballot title shall be served by the secretary of state upon the person offering or filing such initiative or referendum petition, or appeal. The service of the ballot title may be by mail, telegraph or facsimile and shall be made forthwith when it is received from the attorney general by the secretary of state.
- (c) The supreme court shall thereupon examine said measure, hear argument, and in its decision thereon certify to the secretary of state a ballot title and a short title for the measure in accord with the intent of this section. The secretary of state shall print on the official ballot the title thus certified to him.
- (4) Any qualified elector of the state of Idaho may, at any time after the attorney general has issued a certificate of review, bring an action in the supreme court to determine the constitutionality of any initiative. (History: S.L. 1933, Ch. 210; S.L. 1979, Ch. 106; S.L. 1988, Ch. 48; S.L. 1994, Ch. 400; S.L. 1997, Ch. 266; S.L. 2003, Ch. 147)

34-1810. Printing and designation of ballot titles on official ballots.

- (1) The secretary of state, at the time he furnishes to the county clerks of the several counties certified copies of the names of candidates for state and district offices shall furnish to each of said county clerks a certified copy of the ballot titles and numbers of the several measures to be voted upon at the ensuing general election, and he shall use for each measure the ballot title designated in the manner herein provided.
 - (a) Such ballot title shall not resemble, so far as to probably create confusion, any such title previously filed for any measure to be submitted at that election.
 - (b) The ballot shall include a clear and concise statement as to the effect of a "yes" or "no" vote, prepared jointly by the attorney general and secretary of state.
- (2) The secretary of state shall number the measures consecutively beginning with number (1), in the order in which the measures were finally filed with the secretary. The measures shall be designated on the ballot as a "Proposition One," "Proposition Two," et cetera. (History: S.L. 1933, Ch. 210; S.L. 1988, Ch. 48; S.L. 2003, Ch. 147)

34-1811. Manner of voting — Procedure when conflicting measures approved.

The manner of voting upon measures submitted to the people shall be the same as is now or may be required and provided by law; no measure shall be adopted unless it shall receive an affirmative majority of the aggregate number of votes cast on such measure. If two (2) or more conflicting laws shall be approved by the people at the same election, the law receiving the greatest number of affirmative votes shall be paramount in all particulars as to which there is a conflict, even though such law may not have received the greatest majority of affirmative votes. If two (2) or more conflicting amendments to the constitution shall be approved by the people at the same election, the amendment which receives the greatest number of affirmative votes shall be paramount in all particulars as to which there is a conflict, even though such amendment may not have received the greatest majority of affirmative votes. (History: S.L. 1933, Ch. 210)

34-1812. [Repealed - S.L. 1979, Ch. 135]

34-1812A. Arguments concerning initiative and referendum measures. Any voter or group of voters may on or before July 20 prepare and file an argument, not to exceed five hundred (500) words, for or against any measure. Such argument shall not be accepted unless accompanied by the name and address or names and addresses of the person or persons submitting it, or, if submitted on behalf of an organization, the name and address of the organization and the names and addresses of at least two (2) of its principal officers.

If more than one (1) argument for or more than one (1) argument against any measure is filed within the time prescribed, the secretary of state shall select one (1) of the arguments for printing in the voters' pamphlets. In selecting the argument the secretary of state shall be required to give priority in the order named to the arguments of the following:

- (1) The proponent of the initiative or referendum petition.
- (2) Bona fide associations of citizens.
- (3) Individual voters. (History: S.L. 1979, Ch. 135)

34-1812B. Submission of rebuttal arguments. When the secretary of state has received the arguments which will be printed in the voters' pamphlet, the secretary of state shall immediately send copies of the arguments in favor of the proposition to the authors of the arguments against and copies of the arguments against to the authors of the arguments in favor. The authors may prepare and submit rebuttal arguments not exceeding two hundred and fifty (250) words. The rebuttal arguments must be filed no later than August 1. Rebuttal arguments shall be printed in the same manner as the direct arguments. Each rebuttal argument shall immediately follow the direct argument which it seeks to rebut. (History: S.L. 1979, Ch. 135)

- **34-1812C. Voters' pamphlet.** (1) Not later than September 25 before any regular general election at which an initiative or referendum measure is to be submitted to the people, the secretary of state shall cause to be printed a voters' pamphlet which shall contain the following:
- (a) A complete copy of the title and text of each measure with the number and form in which the ballot title thereof will be printed on the official ballot;
 - (b) A copy of the arguments and rebuttals for and against each state measure.
- (2) The secretary of state shall mail or distribute a copy of the voters' pamphlet to every household in the state. Sufficient copies of the voters' pamphlet shall also be sent to each county clerk. The county clerk and the secretary of state shall make copies of the voters' pamphlet available upon request.
- (3) The voters' pamphlet shall be printed according to the following specifications:
 - (a) The pages of the pamphlet shall be not smaller than 6 x 9 inches in size;
- (b) It shall be printed in clear readable type, no less than 10-point, except that the text of any measure may be set forth in no less than 7-point type;
- (c) It shall be printed on a quality and weight of paper which in the judgment of the secretary of state best serves the voters;
 - (d) If the material described in subsections (a) and (b) of this section is combined

in a single publication with constitutional amendments, the entire publication shall be treated as a legal notice. (History: S.L. 1979, Ch. 135; S.L. 1984, Ch. 114)

34-1813. Counting, canvassing and return of votes. The votes on measures and questions shall be counted, canvassed and returned by the regular boards of judges, clerks and officers, as votes for candidates are counted, canvassed and returned, and the abstract made by the several county auditors of votes on measures shall be returned to the secretary of state on separate abstract sheets in the manner provided for abstract of votes for state and county officers. It shall be the duty of the secretary of state, in the presence of the governor, to proceed within thirty (30) days after the election, and sooner if the returns be all received, to canvass the votes given for each measure, and the governor shall forthwith issue his proclamation, giving the whole number of votes cast in the state for and against such measure and question, and declaring such measures as are approved by a majority of those voted thereon to be in full force and effect as the law of the state of Idaho from the date of said proclamation; provided, that if two (2) or more measures shall be approved at said election which are known to conflict with each other or to contain conflicting provisions he shall also proclaim which is paramount in accordance with the provisions of sections 34-1801—34-1822. (History: S.L. 1933, Ch. 210)

34-1814. Who may sign petition - Effect of wrongful signing - Penalty for wrongful signing. Every person who is a qualified elector of the state of Idaho may sign a petition for the referendum or for the initiative for any measure which he is legally entitled to vote upon. Any person signing any name other than his own to any petition, or knowingly signing his name more than once for the same measure at one election, or who is not at the time of signing the same a legal voter of this state, or any officer or person wilfully violating any provision of this statute, shall, upon conviction thereof be punished by a fine not exceeding five thousand dollars (\$5,000) or by imprisonment in the penitentiary not exceeding two (2) years, or by both such fine and imprisonment, in the discretion of the court before which such conviction shall be had. Any such wrongful signatures are null and void and shall not be counted as a qualified signature. Any person circulating a petition, who knows, or who in the exercise of reasonable care should know, that a signature is forged and who shall thereafter fail to strike through and thereby void such signature, and any person in a position of supervision of such person who suffers or permits a forged signature to remain on a petition shall pay a fine of not less than one thousand dollars (\$1,000) for each such signature. (History: S.L. 1933, Ch. 210; S.L. 1997, Ch. 266)

34-1814A. [Repealed - S.L. 1999, Ch. 47]

34-1815. False statements spoken or written concerning petition unlawful - Failure to disclose material provisions. It shall be unlawful for any person to wilfully or knowingly circulate, publish or exhibit any false statement or representation, whether spoken or written, or to fail to disclose any material provision in a petition, concerning the contents, purport or effect of any petition mentioned in sections 34-1801A- through

34-1822, Idaho Code, for the purpose of obtaining any signature to any such petition, or for the purpose of persuading any person to sign any such petition. It shall be unlawful for any person to solicit or obtain any signature on a petition without first showing the signer both the short title and the general title as defined in section 34-1809, Idaho Code, so that the signer has an opportunity to read them before signing the petition.

Any signature obtained without compliance with this section is null and void. (History: S.L. 1933, Ch. 210; S.L. 1997, Ch. 266)

- **34-1816.** Filing petition with false signatures unlawful. It shall be unlawful for any person to file in the office of any officer provided by law to receive such filing any petition mentioned in sections 34-1801—34-1822, to which is attached, appended or subscribed any signature which the person so filing such petition knows to be false or fraudulent or not the genuine signature of the person purporting to sign such petition, or whose name is attached, appended or subscribed thereto. (History: S.L. 1933, Ch. 210)
- 34-1817. Circulating petition with false, forged or fictitious names unlawful. It shall be unlawful for any person to circulate or cause to be circulated any petition mentioned in sections 34-1801—34-1822, knowing the same to contain false, forged or fictitious names. (History: S.L. 1933, Ch. 210)
- **34-1818. False affidavit by any person unlawful.** It shall be unlawful for any person to make any false affidavit concerning any petition mentioned in sections 34-1801—34-1822, or the signatures appended thereto. (History: S.L. 1933, Ch. 210)
- **34-1819.** False return, certification or affidavit by public official unlawful. It shall be unlawful for any public official or employee knowingly to make any false return, certification or affidavit concerning any petition mentioned in sections 34-1801—34-1822, or the signatures appended thereto. (History: S.L. 1933, Ch. 210)
- **34-1820.** Signing more than once or when not qualified unlawful. It shall be unlawful for any person to knowingly sign his own name more than once to any petition mentioned in sections 34-1801—34-1822, or to sign his name to any such petition knowing himself at the time of such signing not to be qualified to sign the same. (History: S.L. 1933, Ch. 210)
- **34-1821. Felonious acts enumerated.** It shall be a felony for any person to offer, propose or threaten to do any act mentioned in this section of or concerning any petition mentioned in sections 34-1801—34-1822, for any pecuniary reward or consideration: (a) To offer, propose, threaten or attempt to sell, hinder or delay any petition or any part thereof or of any signatures thereon mentioned in sections 34-1801—34-1822; (b) To offer, propose, or threaten to desist, for a valuable consideration, from beginning, promoting or circulating any petition mentioned in sections 34-1801—34-1822, or soliciting signatures to any such petition; (c) To offer, propose, attempt or threaten in

any manner or form to use any petition or power of promotion or opposition in any manner or form for extortion, blackmail or secret or private intimidation of any person or business interest. (History: S.L. 1933, Ch. 210)

- **34-1822. Penalty for violations.** Any person, either as principal or agent, violating any of the provisions of sections 34-1801—34-1822 shall be punished upon conviction by imprisonment in the penitentiary or in the county jail not exceeding two (2) years, or by a fine not exceeding \$5000.00, or by both, excepting that imprisonment in the penitentiary and punishment by a fine shall be the only penalty for violation of any provision of section 34-1821. (History: S.L. 1933, Ch. 210)
- **34-1823. Severability.** In the event that any part of chapter 18, title 34, Idaho Code, shall for any reason be determined void or unenforceable in any part thereof, the remainder thereof shall remain in full force and effect. (History: S.L. 1997, Ch. 266)

CHAPTER 19 CONGRESSIONAL DISTRICTS

Sections 34-1901 through 34-1903 have been superceded and replaced by the Commission on Reapportionment as authorized by Article 3, Section 2, Idaho Constitution.

CHAPTER 20 ELECTION CONTESTS OTHER THAN LEGISLATIVE AND STATE EXECUTIVE OFFICES

- **34-2001. Grounds of contest.** The election of any person to any public office, the location or relocation of a county seat, or any proposition submitted to a vote of the people may be contested:
- 1. For malconduct, fraud, or corruption on the part of the judges of election in any precinct, township or ward, or of any board of canvassers, or any member of either board sufficient to change the result.
 - 2. When the incumbent was not eligible to the office at the time of the election.
- 3. When the incumbent has been convicted of felony, unless at the time of the election he shall have been restored to civil rights.
- 4. When the incumbent has given or offered to any elector, or any judge, clerk or canvasser of the election, any bribe or reward in money or property for the purpose of procuring his election, or has committed any violation as set out in chapter 23, title 18, Idaho Code.
- 5. When illegal votes have been received or legal votes rejected at the polls sufficient to change the result.
- 6. For any error in any board of canvassers in counting votes or in declaring the result of the election, if the error would change the result.
- 7. When the incumbent is in default as a collector and custodian of public money or property.
 - 8. For any cause which shows that another person was legally elected. (History:

1890-1981, p. 57, section 132; reen. 1899, p. 33, section 119; reen. R.C. & C.L., section 5026; C.S., section 7274; I.C.A., section 33-1701; S.L. 1982, Ch. 209)

- **34-2001A.** Bond election and mill levy contests Time for filing Validation of elections and bonds. A. The provisions of this chapter with respect to the contest of elections shall be applicable to bond elections conducted by cities, counties, school districts and water and sewer districts, and to elections conducted by school districts for mill levy increases as authorized by sections 33-802, 33-803 and 33-804, Idaho Code. Any such contest shall be regarded as one contesting the outcome of the vote on the bond or mill levy proposition, rather than election to office, and the public entity calling the election rather than a person declared to have been elected to office, shall be regarded as the defendant.
- B. When the validity of any bond or mill levy election is contested upon any of the grounds enumerated in section 34-2001, Idaho Code, or upon any other grounds whatsoever the plaintiff or plaintiffs must, within forty (40) days after the votes are canvassed and the results thereof declared, file in the proper court a verified written complaint setting forth, in addition to the other requirements of this chapter, the following:
- (1) The name of the party contesting the bond or mill levy election, and that he is an elector of the public entity conducting the bond or mill levy election.
 - (2) The proposition or propositions voted on at the election which are contested.
 - (3) The particular grounds of such contest.
- C. No such election contest shall be maintained and no bond or mill levy election shall be set aside or held invalid unless a complaint is filed as permitted hereunder within the period prescribed in this section. As to bond or mill levy elections which have been held prior to the effective date of this act, no such contest shall be maintained wherein it is alleged that the election should be set aside or held on any ground enumerated in section 34-2001, Idaho Code, or on any other ground, unless such election contest be filed as herein provided within forty (40) days from and after the effective date of this act.
- D. All bond elections conducted by cities, counties, school districts and water and sewer districts prior to the effective date of this act, and all proceedings had in the authorization and issuance of the bonds authorized thereat, are hereby validated, ratified and confirmed and all such bonds are declared to constitute legally binding obligations in accordance with their terms. Nothing in this section shall be construed to affect or validate any bond election, or bonds issued pursuant thereto, the legality of which is being contested at the time this act takes effect, or any election the legality of which is contested within the forty (40) day period from and after the effective date of this act. (History: I.C., section 34-2001A, as added by 1969, Ch. 208; S.L. 1976, Ch. 291)
- **34-2002. Term incumbent defined.** The term "incumbent" in this chapter means the person whom the canvassers declare elected. (History: 1890-1891, p. 57, section 133; reen. 1899, p. 33, section 120; reen, R.C. & C.L., section 5027; C.S., section 7275; I.C.A., section 33-1702)

- **34-2003. Misconduct of judges.** When the misconduct complained of is on the part of the judges of election, it shall not be held sufficient to set aside the election, unless the vote of the precinct, township or ward would change the result as to that office. (History: 1890-1891, p. 57, section 134; reen. 1899, p. 33, section 121; reen. R.C. & C.L., section 5028; C.S., section 7276; I.C.A., section 33-1703)
- 34-2004. Jurisdiction Contests over judicial offices. The Supreme Court shall hear and determine contests of the election of judges of the Supreme Court and appellate court and judges of the district courts, and in case they shall disagree, the governor shall act with them in determining the contest, but no judge of the Supreme Court shall sit upon the hearing of any case in which he is a party. The appropriate district court shall hear and determine contests of the retention election of judges of the magistrate courts. (History: 1890-1891, p. 57, section 137; am. 1899, p. 33, section 124; reen. R.C. & C.L., section 5029; C.S., section 7277; I.C.A., section 33-1704; S.L. 1982, Ch. 209)
- **34-2005.** Jurisdiction Removal of county seats and special questions. The district courts of the respective counties shall hear and determine contests of election in regard to the removal of county seats, and in regard to any other subject which may by law be submitted to the vote of the people of the county, and the proceedings therein shall be conducted as near as may be hereinafter provided for contesting the election of county officers. (History: 1890-1891, p. 57, section 138; reen. 1899, p. 33, section 125; reen. R.C. & C.L., section 5030; C.S., section 7278; I.C.A., section 33-1705)
- **34-2006. Jurisdiction County and precinct officers.** The district courts shall hear and determine contests of all other county, township and precinct officers, and officers of the cities and incorporated villages within the county. (History: 1890-1891, p. 57, section 139; reen. 1899, p. 33, section 126; reen. R.C. & C.L., section 5031; C.S., section 7279; I.C.A., section 33-1706)
- **34-2007. Who may contest elections.** The election of any person declared elected to any office, other than executive state officers and members of the legislature, may be contested by any elector of the state, judicial district, county, township, precinct, city or incorporated village in and for which the person is declared elected. (History: 1890-1891, p. 57, section 148; reen. 1899, p. 33, section 135; reen. R.C. & C.L., section 5032; C.S., section 7280; I.C.A., section 33-1707)
- **34-2008.** Complaint and security for costs. The contestants shall file in the proper court, within twenty (20) days after the votes are canvassed, a complaint setting forth the name of the contestant, and that he is an elector competent to contest such election; the name of the incumbent, the office contested, the time of the election, and the particular causes of contest, which complaint shall be verified by the affidavit of the contestant, that the causes set forth are true as he verily believes. The contestant must also file a bond, with security to be approved by the clerk of the court or district judge, as the case may be, conditioned to pay all costs in case the election be confirmed, the complaint dismissed, or the prosecution fail. (History: 1890-1891, p. 57, section 149;

- reen. 1899, p. 33, section 136; reen. R.C. & C.L., section 5033; C.S., section 7281; I.C.A., section 33-1708)
- **34-2009. Complaint Specific allegations.** When the reception of illegal or the rejection of legal votes is alleged as a cause of contest, the names of the persons who so voted, or whose votes were rejected, if known, with the precinct, township or ward where they voted or offered to vote, shall be set forth in the complaint. (History: 1890-1891, p. 57, section 150; reen. 1899, p. 33, section 137; reen. R.C. & C.L., section 5034; C.S., section 7282; I.C.A., section 33-1709)
- **34-2010. Issuance of summons.** Upon the filing of such complaint summons shall issue against the person whose office is contested, as prescribed in the Idaho Rules of Civil Procedure. (History: 1890-1891, p. 57, section 151; reen. 1899, p. 33, section 138; reen. R.C. & C.L., section 5035; C.S., section 7283; I.C.A., section 33-1710; S.L. 1982, Ch. 209)
- **34-2011.** Time for trial. The cause shall stand for trial at the expiration of thirty (30) days from the time of service of the summons and complaint, if the court shall then be in session; otherwise, on the first day of the next term thereafter. (History: 1890-1891, p. 57, section 152; reen. 1899, p. 33, section 139; reen. R.C. & C.L., section 5036; C.S., section 7284; I.C.A., section 33-1711)
- **34-2012. Postponement of trial.** The trial shall proceed at the time appointed, unless postponed for good cause shown by affidavit, the terms of which postponement are in the discretion of the court. (History: 1890-1891, p. 57, section 153; reen. 1899, p. 33, section 140; reen. R.C. & C.L., section 5037; C.S., section 7285; I.C.A., section 33-1712)
- **34-2013. Procedure in general.** The proceedings shall be held according to the Idaho Rules of Civil Procedure so far as practicable, but shall be under the control and direction of the court, which shall have all the powers necessary to the right hearing and determination of the matter; to compel the attendance of witnesses, swear them and direct their examination; to punish for contempt in its presence or by disobedience to its lawful mandate; to adjourn from day to day; to make any order concerning immediate costs, and to enforce its orders by attachment. It shall be governed by the rules of law and evidence applicable to the case. (History: 1890-1891, p. 57, section 154; reen. 1899, p. 33, section 141; reen. R.C. & C.L., section 5038; C.S., section 7286; I.C.A., section 33-1713; S.L. 1982, Ch. 209)
- **34-2014. Testimony Subpoena for witnesses.** The testimony may be oral, or by depositions taken pursuant to the Idaho Rules of Civil Procedure. Subpoenas for witnesses may be issued pursuant to the Idaho Rules of Civil Procedure. (History: 1890-1891, p. 57, section 155; reen. 1899, p. 33, section 142; reen. R.C. & C.L., section 5039; C.S., section 7287; I.C.A., 33-1714; S.L. 1982, Ch. 209)

- **34-2015. Amendments.** The proceedings shall not be dismissed for want of form, if the particular causes of contest are alleged with such certainty as will sufficiently advise the incumbent of the real grounds of contest. If any part of the causes are held insufficient they may be amended, but the incumbent will be entitled to an adjournment if he state on oath that he has a matter to answer to the amended causes, for the preparation of which he needs further time. Such adjournment shall be upon such terms as the court deems reasonable; but if all the causes are held insufficient, and an amendment is asked the adjournment shall be at the cost of the contestant. If no amendment is asked for or made, or in case of entire failure to prosecute, the proceedings may be dismissed. (History: 1890-1891, p. 57, section 156; reen. 1899, p. 33, section 143; reen. R.C. & C.L., section 5040; C.S., section 7288; I.C.A., section 33-1715)
- **34-2016.** Form and service of process. The style, form and manner of service of process and papers, and the fees of officers and witnesses shall be the same as in other cases in the court where the cause is tried. (History: 1890-1891, p. 57, section 157; reen. 1899, p. 33, section 144; reen. R.C. & C.L., section 5041; C.S., section 7289; I.C.A., section 33-1716)
- **34-2017. Voters to testify as to qualifications.** (a) The court may require any person called as a witness, who voted at such election, to answer touching his qualifications as a voter; and if he was not a qualified voter in the county where he voted, then to answer for whom he voted; and if the witness answer such questions no part of his testimony on that trial shall be used against him in any criminal action.
- (b) No testimony shall be received as to any illegal votes unless the party contesting the election delivers to the opposing party at least three (3) days before trial, a written list of the number of illegal votes and by whom given, which he intends to prove on such trial. No testimony shall be received as to any illegal votes, except as to such as are specified in this list. (History: 1890-1891, p. 57, section 158; reen. 1899, p. 33, section 145; reen. R.C. & C.L., section 5042; C.S., section 7290; I.C.A., section 33-1717; S.L. 1982, Ch. 209)
- 34-2018. Inspection of ballots and poll books. If an inspection of the ballots or poll books of any election district in this state shall become necessary for the determination of any election contest before any court, the presiding judge thereof may, by order naming the district or districts, require the proper officer to procure the same from the county auditor, or other person in whose possession or custody the same may be, and such clerk or person shall deliver the same to said officer, who shall deliver them unopened to such presiding judge. (History: 1890-1891, p. 57, section 159; reen. 1899, p. 33, section 146; reen. R.C. & C.L., section 5043; C.S., section 7291; I.C.A., section 33-1718)
- 34-2019. Ballots and poll books Return to county auditor. The presiding officer shall open and inspect the same in open court, in the presence of the parties or their attorneys, and immediately after such inspection shall again seal them in an envelope and return them, by mail or otherwise, to the office of the county auditor in which they were at first required to be filed. (History: 1890-1891, p. 57, section 160;

- reen. 1899, p. 33, section 147; reen. R.C. & C.L., section 5044; C.S., section 7292; I.C.A., section 33-1719)
- **34-2020.** Liability for costs. (a) The contestant and the incumbent are liable to the officers and witnesses for the costs made by them respectively. But if the election be confirmed, or the complaint be dismissed, or the prosecution fail, judgment shall be rendered against the contestant for costs, and if the judgment be against the incumbent, or the election be set aside, it shall be against him for costs.
- (b) If the election is set aside or annulled on the grounds of fraud or error by the election officials in conducting the election or in canvassing the returns, the contest costs shall be a charge against the county or political subdivision where the election was held. (History: S.L. 1890-1891, p. 57, section 161; reen. 1899, p. 33, section 148; reen. R.C. & C.L., section 5045; C.S., section 7293; I.C.A., section 33-1720; S.L. 1982, Ch. 209)
- **34-2021. Form of judgment.** The judgment of the court in cases of contested election shall confirm or annul the election according to the right of the matter; or, in case the contest is in relation to the election of some person to an office, shall declare as elected the person who shall appear to be duly elected or, in the alternative, order the office to be filled according to chapter 9, title 59, Idaho Code, or order a new election to be held at a time and place as determined by the court. (History: 1890-1891, p. 57, section 162; reen. 1899, p. 33, section 149; reen. R.C. & C.L., section 5046; C.S., section 7294; I.C.A., section 33-1721; S.L. 1982, Ch. 209)
- **34-2022. Determination of tie vote.** If it appears that two (2) or more persons have—or would have had if the legal ballots cast or intended to be cast for them had been counted—the highest and an equal number of votes for the same office, the persons receiving such votes shall decide by lot, in such manner as the court shall by written order direct, which of them shall be declared duly elected, and the judgment shall be entered accordingly. (History: 1890-1891, p. 57, section 163; reen. 1899, p. 33, section 150; reen. R.C. & C.L., section 5047; C.S., section 7295; I.C.A., section 33-1722)
- **34-2023. Order for possession.** When either the contestant or incumbent shall be in possession of the office by holding over, or otherwise, the court shall, if the judgment be against the party so in possession of the office and in favor of his antagonist, issue an order to carry into effect the judgment of the court, which order shall be under the seal of the court, and shall command the sheriff of the county to put the successful party into possession of the office without delay, and to deliver to him all books and papers belonging to the same; and the sheriff shall execute such order as other writs. (History: 1890-1891, p. 57, section 164; reen. 1899, p. 33, section 151; reen. R.C. & C.L., section 5048; C.S., section 7296; I.C.A., section 33-1723)
- **34-2024.** Election declared void. When the person whose election is contested is found to have received the highest number of legal votes, but the election is declared null by reason of legal disqualification on his part, or for other causes, the person receiving

the next highest number of votes shall not be declared elected, but the election shall be declared void. (History: 1890-1891, p. 57, section 165; reen. 1899, p. 33, section 152; reen. R.C. & C.L., section 5049; C.S., section 7297; I.C.A., section 33-1724)

- **34-2025. Appeal and supersedeas.** (a) The party against whom judgment is rendered in cases tried in the district court may appeal to the Supreme Court, and if the appellant be in possession of the office, such appeal shall not supersede the execution of the judgment of the court, as provided in the preceding section, unless he give a bond with security, to be approved by the court, in a sum to be fixed by the court, and which shall be at least double the probable compensation of such officer for six (6) months, which bond shall be conditioned that he will prosecute his appeal without delay, and that if the judgment appealed from be affirmed he will pay over to the successful party all compensation received by him while in possession of said office after the judgment appealed from was rendered, and such bond shall contain the express consent that judgment may be rendered against the sureties on the appeal as provided in the following section.
- (b) All appeals to the Supreme Court shall be brought within ten (10) days of the judgment by the district court. (History: 1890-1891, p. 57, section 166; reen 1899, p. 33, section 153; reen R.C. & C.L., section 5050; C.S., section 7298; I.C.A., section 33-1725; S.L. 1982, Ch. 209)
- **34-2026. Judgment of affirmance.** If upon the appeal the judgment be affirmed, the appellate court shall render judgment against the appellant and the sureties on his bond, or either of them, for the amount which the appellee is entitled to recover from the appellant on account of such contest, together with the costs; but in such case the sureties, or either of them, shall be entitled to produce and examine witnesses concerning the amount of such recovery. (History: 1890-1891, p. 57, section 167; reen. 1899, p. 33, section 154; reen. R.C. & C.L., section 5051; C.S., section 7299; I.C.A., section 33-1726)
- **34-2027. Cost of bond on appeal.** If upon appeal the appellant shall not be in possession of the office, he shall give bond, with security to be approved by the court where the judgment is rendered, conditioned to pay all costs that may be adjudged against him upon such appeal. (History: 1890-1891, p. 57, section 168; reen. 1899, p. 33, section 155; reen. R.C. & C.L., section 5052; C.S., section 7300; I.C.A., section 33-1727)
- **34-2028.** Contest of nomination at primaries. A candidate at a primary election may contest the nomination of any candidate for the same office based upon the grounds as set out in this chapter. (History: S.L. 1982, Ch. 209)
- **34-2029. Jurisdiction over primary contest.** The district court in the respective county in which the alleged error or omission occurred shall be the court in which jurisdiction shall rest. (History: S.L. 1982, Ch. 209)
- **34-2030.** Filing of affidavit. A candidate wishing to contest a primary election shall file an affidavit with the appropriate court within five (5) days of the completion of the canvass of the election. The affidavit shall set forth information as required in

section 34-2008, Idaho Code. The affidavit shall be served on all necessary parties in the same manner as a complaint and summons are served pursuant to the Idaho Rules of Civil Procedure. (History: S.L. 1982, Ch. 209)

- **34-2031. Security for costs.** Upon filing of the affidavit the contestant shall file with the court a bond, in the amount of five hundred dollars (\$500), to be used to pay costs of the contestee in the event the primary election be confirmed or the prosecution fail. (History: S.L. 1982, Ch. 209)
- **34-2032.** Fraud or error by the election official. If the primary election is set aside or annulled on the grounds of fraud or error by the election officials in conducting the election or in canvassing the election returns, the contest costs shall be a charge against the county or city where the election was held. (History: S.L. 1982, Ch. 209)
- **34-2033. Discovery.** The court may order the production of such evidence as it deems necessary for the proper disposition of the primary contest pursuant to the Idaho Rules of Civil Procedure. The election contest shall be given priority on the court's calendar. (History: S.L. 1982, Ch. 209)
- **34-2034. Remedies.** The court shall render an opinion in a primary contest as soon as is reasonably possible and shall prescribe such remedies as provided in this chapter as it deems just. (History: S.L. 1982, Ch. 209)
- **34-2035. Appeals.** (a) In primary election contests, the party against whom judgment is rendered on cases filed in the district court may appeal to the Supreme Court. The appeal shall be taken within ten (10) days of the judgment by the district court.
- (b) The Supreme Court shall give the primary contest appeal priority on its calendar. (History: S.L. 1982, Ch. 209)
- **34-2036.** Cost on appeal. The appellant shall file a bond sufficient to cover the cost of appeal of a primary contest. Costs shall be awarded to the prevailing party on appeal. The amount of the bond on appeal shall be set by the court. (History: S.L. 1982, Ch. 209)

CHAPTER 21 ELECTION CONTESTS — LEGISLATIVE AND STATE EXECUTIVE OFFICES

- **34-2101. Grounds of contest.** The election of any person to any legislative or state executive office may be contested:
- 1. For malconduct, fraud or corruption on the part of the judges of election in any precinct, township or ward, or of any board of canvassers, or by any member of either board sufficient to change the result;
 - 2. When the incumbent was not eligible to the office at the time of the election;
- 3. When the incumbent has been convicted of felony, unless at the time of the election he shall have been restored to civil rights;

- 4. When the incumbent has given or offered to any elector, or any judge, clerk, or canvasser of the election, any bribe or reward in money or property, for the purpose of procuring his election, or has committed any violation as set out in chapter 23, title 18, Idaho Code;
- 5. When illegal votes have been received or legal votes rejected at the polls sufficient to change the result;
- 6. For any error in any board of canvassers in counting votes or in declaring the result of the election, if the error would change the result;
- 7. When the incumbent is in default as a collector and custodian of public money or property;
- 8. For any cause which shows that another person was legally elected. (History: R.S., section 5026; am. 1890-1891, p. 57, section 132; reen. 1899, p. 33, section 119; am. R.C., section 39; reen. 1909, p. 333; reen. C.L., section 39; C.S., section 80; I.C.A., section 33-1801; S.L. 1982, Ch. 209)
- **34-2102. Incumbent defined.** The term "incumbent" as used in the preceding section means the person whom the canvassers declare elected. (History: 1890-1891, p. 57, section 133; reen. 1899, p. 33, section 120; reen. R.C., section 40; reen. C.L., section 40; C.S., section 81; I.C.A., section 33-1802)
- 34-2103. Misconduct of election judges When sufficient to vitiate election. When the misconduct complained of is on the part of the judges of election, it shall not be held sufficient to set aside the election unless the vote of the precinct, township or ward would change the result as to that office. (History: 1890-1891, p. 57, section 134; reen. 1899, p. 33, section 121; reen. R.C., section 41; reen. C.L., section 41; C.S., section 82; I.C.A., section 33-1803)
- **34-2104. Jurisdiction Contests over executive offices.** The legislature, in joint meeting, shall hear and determine cases of contested election for all officers of the executive department. The meeting of the two (2) houses to decide upon such elections shall be held in the house of representatives and the speaker of the house shall preside. (History: 1890-1891, p. 57, section 135; reen. 1899, p. 33, section 122; am. R.C., section 42; reen. C.L., section 42; C.S., section 83; I.C.A., section 33-1804)
- **34-2105. Jurisdiction Contests over legislative offices.** The senate and house of representatives shall severally hear and determine contests of the election of their respective members. (History: 1890-1891, p. 57, section 136; reen. 1899, p. 33, section 123; reen. R.C., section 43; reen. C.L., section 43; C.S., section 84; I.C.A., section 33-1805)
- 34-2106. Notice of contest. Whenever any elector of this state chooses to contest the validity of the election of any of the officers of the executive department of the state, or whenever any elector of the proper county or district chooses to contest the election of any member of the legislature from such county or district, such person shall give notice thereof, in writing, and leave a copy thereof with the person whose election he intends to contest, within twenty (20) days after the election (if the person can not be

found in his district, then a copy to be left at his last place of residence in the district), naming the points on which the election shall be contested, and the name of some person authorized by law to administer oaths, selected by him to take the depositions, and the time and place for the taking of the same; the adverse party may also select one such person on his part to attend at the time and place of taking such depositions. (History: 1890-1891, p. 57, section 140; reen. 1899, p. 33, section 127; reen. R.C. & C.L., section 44; C.S., section 85; I.C.A., section 33-1806)

- **34-2107. Examination of witnesses.** Any party may take the testimony of any person by deposition upon oral examination pursuant to the provisions of the Idaho Rules of Civil Procedure. All such testimony shall be completed on or before December 29 following the election. (History: 1890-1891, p. 57, section 141; reen. 1899, p. 33, section 128; reen. R.C. & C.L., section 45; C.S., section 86; I.C.A., section 33-1807; S.L. 1982, Ch. 209)
- **34-2108. Subpoenas Application for.** When any contestant or returned member is desirous of obtaining testimony respecting a contested election, he may apply for a subpoena pursuant to the Idaho Rules of Civil Procedure. (History: 1881, p. 257, section 13; am. R.S., section 131; am. R.C. & C.L., section 46; C.S., section 87; I.C.A., section 33-1808; a.m. 1969, Ch. 115, section 3, p. 373; S.L. 1982, Ch. 209)
- **34-2109. Subpoenas How issued.** The subpoena obtained pursuant to section 34-2108, Idaho Code, shall be issued according to the provisions of the Idaho Rules of Civil Procedure. (History: 1881, p. 257, section 14; am. R.S., section 132; reen. R.C. & C.L., section 47; C.S., section 88; I.C.A., section 33-1809; S.L. 1982, Ch. 209)
- **34-2110. Disobedience of subpoena Penalty.** Any person who, having been summoned in the manner above directed, refuses or neglects to attend and testify, unless prevented by sickness or unavoidable necessity, forfeits the sum of twenty dollars (\$20.00), to be recovered, with costs of suit, by the party at whose instance the subpoena was issued, and for his use, and is guilty of a misdemeanor. (History: 1881, p. 257, section 16; am. R.S., section 134; reen. R.C. & C.L., section 48; C.S., section 89; I.C.A., section 33-1810)
- 34-2111. Production of papers Refusal or neglect to produce a misdemeanor. The officers have power to require the production of papers to the extent allowed under the Idaho Rules of Civil Procedure; and on the refusal or neglect of any person to produce and deliver up any paper or papers in his possession pertaining to the election, or to produce and deliver up certified or sworn copies of the same in case they be official papers, such person is guilty of a misdemeanor. (History: 1881, p. 257, section 19; am. R.S., section 137; reen. R.C. & C.L., section 49; C.S., section 90; I.C.A., section 33-1811; S.L. 1982, Ch. 209)
- **34-2112.** Witnesses' fees and mileage. Every witness attending by virtue of any subpoena herein directed to be issued is entitled to receive the witness fees as allowed

under the Idaho Rules of Civil Procedure. (History: 1881, p. 257, section 20; am. R.S., section 138; reen. R.C. & C.L., section 50; C.S., section 91; I.C.A., section 33-1812; S.L. 1982, Ch. 209)

- 34-2113. Testimony How taken, certified and preserved. The testimony by deposition upon oral examination shall be taken and preserved pursuant to the provisions of the Idaho Rules of Civil Procedure. The deposition record shall be entitled "Deposition taken in the matter of the contest of the election of A.B. to the office of," and directed to the secretary of state, who shall preserve the same, unopened, till the meeting of the legislature. (History: 1890-1891, p. 57, section 142; reen. 1899, p. 33, section 129; am. R.C. & C.L., section 51; C.S., section 92; I.C.A., section 33-1813; S.L. 1982, Ch. 209)
- **34-2114.** Examination of poll books and ballots. If, at the time of taking depositions to be used before the legislature, or either branch thereof, in the case of a contested election, the notice shall allege that it is necessary for the determination of such contest that the ballots or the poll books of any election district or districts should be inspected, the officer or officers before whom such depositions shall be taken shall, on the request of either party to the contest, issue an order requiring the county auditor, or other person in whose custody or possession the ballots or poll books may be, naming the district or districts mentioned in the notice, to deliver them to the person or persons therein named, who shall deliver them to the person or persons issuing such order. Such officer or officers shall transmit such ballots or poll books, unopened, in the same envelope with the depositions, as provided in the preceding section. (History: 1890-1891, p. 57, section 143; reen. 1899, p. 33, section 130; reen. R.C. & C.L., section 52; C.S., section 93; I.C.A., section 33-1815)
- **34-2115.** Fees of officers. Officers performing services in a contested election case, may charge and collect from the party at whose instance such services were performed, the same fees as are allowed for similar services in civil cases. (History: 1881, p. 257, section 21, am. R.S., section 139; reen. R.C. & C.L., section 53; C.S., section 94; I.C.A., section 33-1815)
- **34-2116.** Contest papers delivered to presiding officers. On the second day of the regular session of the legislature, the secretary of state shall deliver to the speaker of the house all papers relating to the contested elections of executive officers, and to the presiding officers of each house, all papers relating to contested elections of the members of their respective houses. (History: 1890-1891, p. 57, section 144; reen. 1899, p. 33, section 131; reen. R.C. & C.L., section 54; C.S., section 95; I.C.A., section 33-1816; S.L. 1982, Ch. 209)
- **34-2117. Notice of receiving papers.** Upon the reception by such presiding officers of papers relating to contested elections, they shall immediately give notice to their respective houses that such papers are in their possession. Where the papers relate to the contest of a state executive officer, the house of representatives shall notify the senate, and the day shall be fixed by both houses, by concurrent resolution, for the uniting of

the two (2) houses to decide upon the same, in which decision the yeas and nays shall be taken and entered upon the journal. (History: 1890-1891, p. 57, section 145; reen. 1899, p. 33, section 132; am. R.C.& C.L., section 55; C.S., section 96; I.C.A., section 33-1817)

- **34-2118. Opening and custody of papers.** The papers relating to any such contest shall be opened only in the presence of the body by the presiding officer, to whom the same shall be delivered. If ballots or poll books are contained therein, they shall, after being opened, remain in the custody of such presiding officer, subject to the inspection of the members, unless they shall by vote be temporarily committed to the chairman of a committee, in which case such chairman shall return them to the proper presiding officer; and they shall, upon the decision of the contest, be again sealed up in an envelope, and returned by mail or otherwise to the office of the county auditor in which they were first required to be filed. (History: 1890-1891, p. 57, section 146; reen. 1899, p. 33, section 133; reen. R.C. & C.L., section 56; C.S., section 97; I.C.A., section 33-1818)
- **34-2119. Preservation of evidence.** All the evidence in any contest provided for in the last preceding section, except ballots or poll books, shall, after a decision thereof, be preserved in the office of the secretary of state. (History: 1890-1891, p. 57, section 147; reen. 1899, p. 33, section 134; reen. R.C. & C.L., section 57; C.S., section 98; I.C.A., section 33-1819)
- **34-2120.** Security for costs Assessment of costs. (a) The contestant shall file with the secretary of state a bond in the amount of five hundred dollars (\$500) conditioned to pay the contestee's costs in case the election be confirmed by the legislature.
- (b) The contestants are liable for witness fees and the costs of discovery made by them respectively. If the election is upheld by the legislature, the legislature may assess costs against the contestant. If the election is annulled by the legislature, the legislature may assess costs against the contestee.
- (c) If the election is set aside or annulled on the grounds of fraud or error by the election officials in conducting the election or in canvassing the returns, the contest costs shall be a charge against the county in which the fraud or error occurred.
- (d) If a special election is called by the legislature pursuant to section 34-2121, Idaho Code, the costs associated with the special election shall be allocated in equal amounts to the state of Idaho and the county or counties where the special election is held. (History: S.L. 1982, Ch. 209)
- **34-2121.** Form of relief. (a) The legislature shall confirm or annul the election and shall declare as elected the person who shall appear duly elected.
- (b) If two (2) or more persons have, or would have had if the legal ballots cast or intended to be cast for them had been counted, the highest and an equal number of votes for the same office, the persons receiving such votes shall decide by lot, in a manner as the legislature shall direct, which of them shall be declared duly elected.
- (c) When the person whose election is contested is found to have received the highest number of legal votes, but the election is declared null by reason of legal disqualification

on his part, or for other causes, the person receiving the next highest number of votes shall not be declared elected, but the legislature shall declare the election void. If a vacancy is created pursuant to this section, the legislature may declare the office vacant and order the office filled pursuant to chapter 9, title 59, Idaho Code, or, in the alternative the legislature shall have the authority to call for a special reelection regarding a specific contested office in which an accurate vote count cannot be obtained or discovered by the legislature. The legislature shall have the authority to set the time of the election and the office and candidates to be placed on the ballot. (History: S.L. 1982, Ch. 209)

- **34-2122.** Contest of nomination at primaries. Any candidate at a primary election may contest the nomination of any candidate for the same office based upon the grounds as set out in this chapter. (History: S.L. 1982, Ch. 209)
- **34-2123. Jurisdiction over primary contests.** A district court in the respective legislative district shall have jurisdiction over the primary contest involving a legislative election. For election contests involving statewide executive offices, the district court whose jurisdiction includes the state capitol shall have jurisdiction. (History: S.L. 1982, Ch. 209)
- **34-2124.** Filing of affidavit. A candidate wishing to contest a primary election shall file an affidavit with the appropriate court within five (5) days of the completion of the canvass of the election. The affidavit shall set forth information as required in section 34-2106, Idaho Code. The affidavit shall be served on all necessary parties in the same manner as a complaint and summons are served pursuant to the Idaho Rules of Civil Procedure. (History: S.L. 1982, Ch. 209)
- **34-2125. Security for costs.** Upon filing of the affidavit the contestant shall file with the court a bond, in the amount of five hundred dollars (\$500), to be used to pay costs of the contestee in the event the primary election be confirmed or the prosecution fail. (History: S.L. 1982, Ch. 209)
- **34-2126.** Fraud or error by the election official. If the primary election is set aside or annulled on the grounds of fraud or error by the election officials in conducting the election or in canvassing the election returns, the court costs shall be a charge against the state of Idaho. (History: S.L. 1982, Ch. 209)
- **34-2127. Discovery.** The court may order the production of such evidence as it deems necessary for the proper disposition of the primary contest pursuant to the Idaho Rules of Civil Procedure. The election contest shall be given priority on the court's calendar. (History: S.L. 1982, Ch. 209)
- **34-2128. Remedies.** Not more than ten (10) days after the hearing, the court shall render an opinion in a primary contest as soon as is reasonably possible and shall prescribe such remedies as provided in this chapter as it deems just. (History: S.L. 1982, Ch. 209)

- **34-2129. Appeals.** (a) In primary election contests, the party against whom judgment is rendered on cases filed in the district court may appeal to the Supreme Court. The appeal shall be taken within ten (10) days of the judgment of the district court.
- (b) The Supreme Court shall give the primary contest appeal priority and in no case shall it render a decision more than ten (10) days after the receipt of an appeal. (History: S.L. 1982, Ch. 209)
- **34-2130. Cost on appeal.** The appellant shall file a bond sufficient to cover the cost of appeal of a primary contest. The amount of the bond on appeal shall be set by the court. (History: S.L. 1982, Ch. 209)

CHAPTER 22 CONSTITUTIONAL CONVENTION ACT

- **34-2201.** Election of delegates. Whenever the Congress of the United States has proposed, or shall hereafter propose, an amendment to the Constitution of the United States, and proposes that it be ratified by conventions in the several states, the governor shall fix by proclamation the date of an election, subject to the provisions of section 34-106, Idaho Code, for the purpose of electing delegates to such convention in the state of Idaho. The proclamation for such election shall be issued by the governor under his hand and the great seal of the state of Idaho at least ninety (90) days before such election and copies thereof shall be transmitted to the board of county commissioners of the counties in which such elections are to be held. Such election shall be held at least as soon as the next general election occurring more than three (3) months after the amendment has been proposed by the Congress of the United States. (History: S.L. 1933, Ch. 179; S.L. 1995, Ch. 118)
- **34-2202. Qualifications of voters.** At such election all persons qualified to vote for presidential electors shall be entitled to vote. (History: 1933, Ch. 179, section 2, p. 328)
- **34-2203.** Ascertainment and certification of results General election laws applicable. Except as in this act otherwise provided, such election shall be conducted and the results thereof ascertained and certified in the same manner as in the case of the election of presidential electors in this state, and all the provisions of the laws of this state relative to general elections, except in so far as inconsistent with sections 34-2201—34-2216, are hereby made applicable to such election. (History: 1933, Ch. 179, section 3, p. 328)
- **34-2204. Number of delegates.** The number of delegates to be chosen to such convention shall be twenty-one (21), to be elected from the state at large. (History: 1933, Ch. 179, section 4, p. 328)

34-2205. Qualifications of delegates — Nominating petitions — Declarations of candidates and signers — Certification. Candidates for the office of delegate to the convention shall be qualified electors of the state of Idaho. Nomination shall be by petition and not otherwise. A single petition shall nominate but one (1) candidate, who may have one (1) or more separate petitions. Nominations shall be without party or political designation, but the nominating petitions shall each contain a declaration of the candidate that he is a candidate for election to the office of delegate to the constitutional convention, and a statement to the effect that he favors ratification of, or that he is against ratification of the proposed constitutional amendment to be acted upon by the constitutional convention, and the total number of voters joining in the nomination of a candidate shall not be less than one hundred (100).

The candidate's declaration in the nominating petition shall be in substantially the following form, to-wit: I, the undersigned, being a qualified elector of _____ precinct, ___ State of Idaho, hereby declare myself to be a candidate for the office of delegate to the constitutional convention, to be voted for at the election to be held on the of _____, and that I _____ (insert one only of the following: "favor ratification of" or "am against ratification of") the proposed constitutional amendment to be acted upon by the constitutional convention, and certify that I possess the legal qualifications to fill said office, and that my postoffice address is I further certify and declare that if nominated I hereby accept said office. (Signed) All blank spaces shall be properly filled in with the necessary information and the declaration of candidacy shall be subscribed and sworn to before an officer authorized to administer oaths, and the signatures of the voters joining in such petitions, each of which signatures shall be followed by the signer's residence address and date, shall be prefaced by a declaration in substantially the following form, to-wit: I, the undersigned, being a qualified elector of the State of Idaho, do hereby declare that I am in accord with the statement and declaration of candidate for the office of delegate to the constitutional convention, to be voted for at the election to be held on the day of do hereby join in this petition for his nomination for such office. Name of Petitioner Post Office Date of Signing Each nominating petition shall, at the time of filing in the office of the secretary of state, bear an affidavit in substantially the following form, executed and verified by a citizen and resident of the State of Idaho: State of Idaho SS. I do solemnly swear (or affirm) that I am a citizen and resident of the State of Idaho; that each of the petitioners whose name is affixed to the above paper signed the same personally, together with his post-office address and date of signing, and that each signed the same with full knowledge of its contents; that to the best of my knowledge each is

i quantied elector of the State of I	(Signed)
Subscribed and sworn to befo	· · · /
	Notary Public for the State of Idaho; residence

No voter shall sign more than twenty-one (21) nominating petitions nor more than one (1) petition for the same candidate, and if he does either, his signatures shall not be counted on any nominating petition.

All acceptances and petitions shall be filed with the secretary of state not less than forty-five (45) days before the date fixed for the election. No nomination shall be effective except those of the twenty-one (21) candidates in favor of ratification and the twenty-one (21) candidates against ratification whose nominating petitions have respectively been signed by the largest number of voters, ties, if any, to be decided by lot drawn by the secretary of state; provided, however, that if there be less than twenty-one (21) candidates in favor of ratification, all such candidates shall be considered as nominated, or if there be less than twenty-one (21) candidates shall be considered as nominated.

Within ten (10) days after the petitions are filed with him, the secretary of state shall certify to each county auditor within the state, a certified list of the candidates of each group entitled to be voted for at such election, as appears from the acceptances and nominating petitions filed in the office of the secretary of state. (History: 1933, Ch. 179, section 5, p. 328; S.L. 2007, Ch. 90)

34-2206. Ballots. The election shall be by ballot, separate from any ballot to be used at the same election, which ballot shall be prepared as follows: It shall first state the substance of the proposed constitutional amendment. This shall be followed by appropriate instructions to the voter. It shall then contain perpendicular columns of equal width headed respectively, in plain type, "For Ratification" and "Against Ratification." In the column headed "For Ratification" shall be placed the names of the candidates nominated in favor of ratification. In the column headed "Against Ratification" shall be placed the names of the candidates nominated as against ratification. The voter shall indicate his choice by making one or more cross-marks in the appropriate spaces provided on the ballot. No ballot shall be held void because any such cross-mark is irregular in character. The ballot shall be so arranged that the voter may, by making a single cross-mark, vote for the entire group of candidates whose names are comprised in any column:

The ballot shall be in substantially the following form:

PROPOSED AMENDMENT TO THE CONSTITUTION OF THE UNITED STATES

Delegates to the Convention to Ratify the Proposed Amendment.

The Congress has proposed an amendment to the Constitution of the United States which provides (insert here the substance of the proposed amendment).

The Congress has also proposed that the said amendment shall be ratified by conventions in the several states.

INSTRUCTIONS TO VOTERS

Do not vote for more than 21 candidates altogether.

To vote for all candidates in favor of ratification, or for all candidates against ratification, make a cross-mark in the CIRCLE at the head of the list of candidates for whom you wish to vote. If you do this, make no other mark.

To vote for an individual candidate make a cross-mark in the SQUARE at the left of the name.

FOR	AGAINST
RATIFICATION	RATIFICATION
☐ John Doe ☐ Richard Roe ☐	☐ Charles Coe ☐ Michael Moe ☐

All circular spaces in said ballot shall be one-half (1/2) inch in diameter.

All square spaces in said ballot shall be one-half (1/2) inch square.

Except as herein otherwise provided, ballots and supplies for said election shall be prepared and furnished as provided by chapter 9 of this title. (History: 1933, Ch. 179, section 6, p. 328)

34-2207. Result of election — Vacancies, how filled. The twenty-one (21) candidates who shall receive respectively the highest numbers of the total number of votes cast at said election shall be the delegates to the convention. If there shall be a vacancy in the convention caused by the death or disability of any delegate or any other cause, the same shall be filled by appointment by the majority vote of the delegates comprising the group from which such delegate was elected and if the convention contains no other delegate of that group, shall be filled by the governor. (History: 1933, Ch. 179, section 7, p. 328)

34-2208. Meeting and organization of delegates. The delegates to the convention shall meet and assemble in the house of representatives in the capitol at Boise, Idaho, on the twenty-eighth day after their election, at twelve (12) o'clock noon, and shall thereupon organize as, be and constitute a convention to pass upon the question of whether or not the proposed amendment shall be ratified. (History: 1933, Ch. 179, section 8 p. 328)

34-2209. Organizational powers of convention. The convention shall be the judge of the election and qualification of its members; and shall have the power to elect its president, secretary and other officers and/or employees and to adopt its own rules. (History: 1933, Ch. 179, section 9, p. 328)

- **34-2210. Journal of proceedings.** The convention shall keep a journal of its proceedings in which shall be recorded the vote of each delegate on the question of ratification of the proposed amendment. Upon final adjournment the journal shall be certified to by the president and secretary of the convention and be filed with the secretary of state. (History: 1933, Ch. 179, section 10, p. 328)
- **34-2211.** Certificate of ratification. If the convention shall agree, by a vote of a majority of the total number of delegates, to the ratification of the proposed amendment, a certificate to that effect shall be executed by the president and secretary of the convention and transmitted to the secretary of state of this state, who shall transmit the certificate under the great seal of the state to the secretary of state of the United States. (History: 1933, Ch. 179, section 11, p. 328)
- **34-2212. No compensation Expenses, how allowed.** No delegate to a constitutional convention shall receive any compensation except that such delegate shall be paid his actual, necessary and reasonable expenses in traveling to and from and attendance at said convention. (History: 1933, Ch. 179, section 12, p. 328)
- **34-2213.** Expenses, how paid. All the expenses of the constitutional convention and the expenses allowed delegates thereto shall be allowed and paid by the state of Idaho in the same manner as other claims against the state are allowed and paid, and from such appropriations as are, or may be, available therefor. (History: 1933, Ch. 179, section 13, p. 328)
- **34-2214. Federal statute to control.** If at or about the time of submitting any such amendment, Congress shall either in the resolution submitting the same or by statute, prescribe the manner in which the conventions shall be constituted, and shall not except from the provisions of such statute or resolution such states as may theretofore have provided for constituting such conventions, the preceding provisions of this act shall be inoperative, the convention shall be constituted and shall operate as the said resolution or Act of Congress shall direct, and all officers of the state who may by the said resolution or statute be authorized or directed to take any action to constitute such a convention for this state are hereby authorized and directed to act thereunder and in obedience thereto with the same force and effect as if acting under a statute of this state. (History: 1933, Ch. 179, section 14, p. 328)
- **34-2215. Separability.** If any part or parts of sections 34-2201—34-2216 shall be adjudged by the courts to be unconstitutional or invalid, the same shall not effect the validity of any part or parts thereof which can be given effect without the part or parts adjudged to be unconstitutional or invalid. The legislature hereby declares that it would have passed the remaining parts of sections 34-2201—34-2216 if it had been known that such other part or parts thereof would be declared to be unconstitutional or invalid. (History: 1933, Ch. 179, section 15, p. 328)
- **34-2216. Short title.** This act, sections 34-2201—34-2216, may be cited as the "Constitutional Convention Act." (History: 1933, Ch. 179, section 16, p. 328)

34-2217. [Repealed - S.L. 1995, Ch. 227]

CHAPTER 23 RECOUNT OF BALLOTS

- **34-2301. Application for recount of ballots.** (1) Any candidate for federal, state, county or municipal office desiring a recount of the ballots cast in any nominating or general election or person supporting or opposing a state, county or city measure, may apply to the attorney general therefor, within twenty (20) days of the canvass of such election, by the state board of canvassers if for federal and state office, or within twenty (20) days of the canvass of such election by the county commissioners if for a county or municipal office.
- (2) Candidates for all other offices and supporters and opponents to all other ballot measures desiring a recount may apply to the county clerk within twenty (20) days of the canvass of said election by the board of county commissioners. (History: S.L. 1957, Ch. 198; S.L. 1985, Ch. 41; S.L. 2009, Ch. 341; S.L. 2011, Ch. 285)
- **34-2302.** Precincts specified for recount Remittance. In his application he shall state the precinct or precincts in which he desires recount to be made and shall remit to the attorney general or county clerk, pursuant to section 34-2301, Idaho Code, together with his application the sum of one hundred dollars (\$100) for each such precinct in which he desires a recount made. (History: S.L. 1957, Ch. 198; S.L. 2011, Ch. 285)
- **34-2303.** Ballots ordered impounded by attorney general. Upon receiving the application for recount together with the remittance required by section 34-2302, Idaho Code, the attorney general or county clerk, pursuant to section 34-2301, Idaho Code, shall cause all ballot boxes used in such election in the precinct or precincts in which recount is to be made to be immediately impounded and taken into custody by the sheriff of the county or counties in which precinct or precincts are located. In the event that the recount is of the results of a primary election the ballot boxes used to hold the blank half of the ballot shall also be impounded. (History: S.L. 1957, Ch. 198; S.L. 2011, Ch. 285)
- **34-2304. Order for recount Procedure Notice.** The attorney general or county clerk shall then issue an order for recount. The order shall name the prior election judges and clerks of the precinct to act in the same capacity and receive the same compensation as they did on election day. The order shall provide for the place where the recount is to be made; that all candidates named on the ballot for the office contested, or a representative of either or all of them, may be present to watch the counting; and that every other person interested may be present. The order shall state the date on which the recount is to be made which shall not be more than ten (10) days from the date of the order. Copies of the order shall be mailed to each candidate named on the ballot for the office to be recounted. (History: S.L. 1957, Ch. 198; S.L. 1985, Ch. 41; S.L. 2011, Ch. 285)

34-2305. Manner of recounting. At the time and place fixed for recounting the ballots cast in any precinct all ballots shall be recounted in plain view of the candidates or their representatives. The recount shall commence at the time and place so ordered, and shall continue until the recount is finished and the results tabulated. The attorney general shall be the final authority concerning any question which arises during the recount for federal, state, county or municipal elections. The county prosecuting attorney shall be the final authority concerning any question that arises during the recount of other elections. (History: S.L. 1957, Ch. 198; S.L. 1985, Ch. 41; S.L. 2011, Ch. 285; S.L. 2012, Ch. 211)

34-2306. Difference revealed by recount — Candidate relieved of costs. If the results of the recount indicate a difference, which if projected across all the precincts of the office in question would change the result of the election in favor of the candidate requesting the recount or change in the measure being recounted, then the cost of such recount shall be borne by the county or state and the sums of money theretofore paid for the recount shall be returned to the candidate or person who requested the recount of a ballot measure.

In order to be relieved of the costs of the recount, the candidate or person must request that at least twenty (20) precincts containing not less than five thousand (5,000) votes cast be recounted if for a federal or state office or measure, or five (5) precincts containing not less than one thousand two hundred fifty (1,250) votes cast be recounted for a state legislative district office, or at least two (2) precincts having not less than five hundred (500) votes cast be recounted for a county office or measure, or two (2) precincts having not less than two hundred (200) votes cast to be recounted in city or district elections. (History: S.L. 1957, Ch. 198; S.L. 1985, Ch. 41; S.L. 2011, Ch. 285)

- **34-2307.** When general recount ordered. If the candidate or person who requested the recount is relieved of the costs of the recount as described in section 34-2306, Idaho Code, the attorney general, or the county prosecuting attorney for district offices, shall require a recount to be made in all the remaining precincts of the office in question. The state shall pay for a general recount of a federal, state, or legislative district office, while the county shall pay for a general recount of a county, city or district office. (History: S.L. 1957, Ch. 198; S.L. 1985, Ch. 41; S.L. 2011, Ch. 285; S.L. 2012, Ch. 211)
- **34-2308.** Candidate disagreeing with recount results Appeal. (1) Any candidate or person may appeal the results of a recount or the determination that a recount is not necessary when:
- (a) Any candidate for the office or the person on either side of a measure for which a recount has been requested disagrees with the results of the recount and alleges that the law has been misinterpreted or misapplied;
- (b) It appears that a different application or interpretation of the law would have required a general recount where no general recount was ordered; or
- (c) It appears that a different application or interpretation of the law would not have required a general recount where a general recount was ordered;

then the candidate claiming the misinterpretation or the misapplication of law may

appeal to the district court in the county concerned if the office is a county, municipal or district office or to the district court in Ada county if the office is a federal or state office.

- (2) The submittal on appeal shall be by brief and submitted within twenty-four (24) hours following the recount. The appeal submittal shall be served upon the attorney general of Idaho or the county prosecuting attorney within twenty-four (24) hours of filing it within the district court. The appeal submittal shall also be served upon the opposing candidate(s) or representatives of the pro and con sides of the ballot measure within twenty-four (24) hours of filing the appeal in the district court.
- (3) The attorney general, in consultation with the secretary of state, may respond to the submittal by brief or the prosecuting attorney, in consultation with the county clerk, may respond for district elections.
- (4) The opposing candidate(s) or parties, regarding a measure, may respond to the submittal by brief.
- (5) At the discretion of the district court judge, a hearing may be ordered within five (5) days of the filing of the appeal. All parties required to be served with the appeal may participate fully in the hearing. The judge may determine that the appeal may be decided on the brief without a hearing.
- (6) A decision thereon shall be given within five (5) days. Any appeal from the decision of the district court must be taken within twenty-four (24) hours after a decision is rendered. A decision on the appeal shall be given within five (5) days. No further appeal shall be allowed. (History: S.L. 1957, Ch. 198; S.L. 1985, Ch. 41; S.L. 2004, Ch. 48; S.L. 2011, Ch. 285)
- **34-2309.** Free recount. A losing candidate for nomination, or election or person supporting or opposing a ballot measure, may request a recount of the votes cast for the nomination or election to that office or passage or failure of a measure if the difference between the vote cast for that candidate and for the winning candidate for nomination or election, or the difference between the yes and no votes on a measure, is less than or equal to one-tenth of one percent (0.1%) of the total votes cast for that office or five (5) votes, whichever is greater. All requests shall be in writing, and filed with the appropriate officer during the time mentioned in section 34-2301, Idaho Code.

The state shall pay for the recount of a federal, state, or legislative district office, or state measure while the county shall pay for the recount of a county, city or district office or measure. (History: S.L. 1985, Ch. 41; S.L. 1986, Ch. 97; S.L. 2011, Ch. 285; S.L. 2015, Ch. 282; S.L. 2015, Ch. 287)

34-2310. "Costs" defined. As used in this chapter, costs of recount shall include the following:

- (1) Travel costs of the office of the attorney general including meals and lodging.
- (2) Normal hourly rate for election judges and clerks who are not employees of the county.
 - (3) Mileage for election judges who are not employees of the county.
 - (4) Any other costs directly attributable to the recount. (History: S.L. 1985, Ch. 41)

34-2311. [Not used]

34-2312. [Not used]

- **34-2313.** Recount procedures for automated tabulation systems. (1) To ensure the accuracy of automated vote tabulation systems, the county clerk shall follow the recount procedures provided in this section.
- (2) The votes from a random selection of ballots shall be tallied by hand and the votes from the same ballots shall be tabulated by an electronic ballot tabulating system. For statewide and federal office or a statewide measure, the number of ballots to be tallied and tabulated shall be equal to at least two (2) precincts of the ballots cast in each county. For all other offices or measures, the number of ballots to be tallied and tabulated shall be equal to the greater of one hundred (100) or five percent (5%) of the ballots cast for the office or measure, distributed by county where applicable.
- (3) For a statewide or federal office or a statewide measure, if the results of the hand-tally and the automated vote tally system tabulation within the county differ by one-fourth of one percent (.25%) or less, the remaining ballots shall be recounted using automated vote tabulating systems. Otherwise, the remaining ballots shall be recounted by hand.
- (4) For other offices and ballot measures, if the results of the hand tally and electronic vote tabulating system tabulation differ by less than one percent (1%), or two (2) votes, whichever is greater, the remaining ballots shall be recounted using automated vote tabulating systems. Otherwise, the remaining ballots shall be recounted by hand. (History: S.L. 2011, Ch. 285)

CHAPTER 24 VOTING BY MACHINE OR VOTE TALLY SYSTEM

34-2401. Definitions. As used in this chapter:

- (1) "Ballot" means any material used or the voting surface of a direct recording electronic system on which votes are cast for offices, candidates and measures.
- (2) "Ballot card" means the tabulating card or cards of any size upon which the voter records his vote.
- (3) "Ballot label" means the cards, papers, booklet or other material containing the names of offices and candidates and measures to be voted on.
- (4) "Election" means all state, county, city, district and other political subdivision elections including bond issue elections.
- (5) "Governing body" means the board of county commissioners of any county or the governing body of any city, district or other political subdivision elections including bond issue elections.
- (6) "Measure" means a proposed law, act or part of an act of the legislative assembly or amendment to the constitution of the state of Idaho to be submitted to the people for their approval or rejection at an election. "Measure" also means other propositions which can be submitted to the voters at any election by counties, cities, districts or other political subdivisions.

- (7) "Model" means a mechanically operated model of a portion of the face of the machine illustrating the means of voting.
 - (8) "Precinct" includes all election districts.
 - (9) "Voting machine" means:
- (a) Any mechanical or electronic device which will record every vote cast by any voter on candidates and measures and which will either internally or externally total all votes cast on that device;
- (b) Any device into which a ballot card may be inserted and which is so designed and constructed that the vote for any candidate or measure may be indicated by punching or marking the ballot card.
- (10) "Vote tally system" means one (1) or more pieces of machinery or equipment necessary to examine and tally automatically paper ballots having marks placed thereon by a written mark or by a marking stamp. The examination shall be accomplished by either mark sensing or optical scanning. (History: S.L. 1970, Ch. 140; S.L. 1974, Ch. 3; S.L. 2001, Ch. 272; S.L. 2003, Ch. 48)
- **34-2402. Authority to use.** It is the policy of this state that at all elections, including bond issue elections, that ballots or votes may be cast, registered, recorded and counted by means of voting machines or vote tally systems as provided in this chapter. (History: S.L. 1974, Ch. 3)
- 34-2403. Applicability of other laws. All election laws, including, but not limited to, bond election laws, city charters or ordinances, not inconsistent with this chapter, shall apply to all elections in election precincts where voting machines or vote tally systems are used. No provision of law, city charter or ordinance which in any way conflicts with this chapter or with the use of voting machines or vote tally systems as provided in this chapter, shall operate to prohibit use of voting machines or vote tally systems in any election or bond issue election. (History: S.L. 1974, Ch. 3)

34-2404. Tampering with machines prohibited. (1) No person shall:

- (a) Tamper with or injure or attempt to injure any voting machine or vote tally system to be used or being used in an election.
- (b) Tamper with any voting machine or vote tally system that has been used in an election.
- (c) Prevent or attempt to prevent the correct operation of any voting machine or vote tally system.
- (2) An unauthorized person shall not make or have in his possession a key to a voting machine to be used or being used in an election.
- (3) Neither the secretary of state nor any officer or employee of any county, city, district or other political subdivision using voting machines or vote tally systems, shall solicit or accept any compensation, other than amounts paid by the governmental unit, in connection with the sale, lease or use of voting machines or vote tally systems. (History: S.L. 1970, Ch. 140)

- **34-2405. Authority for procurement of machines.** (1) After consultation with the county clerk as chief elections officer of his county, the governing body at any regular meeting or a special meeting called for the purpose, may rent, purchase or otherwise procure, and provide for the use of, in all or a portion of the election precincts of the county, any voting machine or vote tally system which the governing body deems to be in the best interest of that county and which machine or system is approved by the secretary of state.
- (2) Thereafter the voting machine or vote tally system shall be used for voting and for receiving, registering and counting the votes in all primary and general elections held in such precincts.
- (3) In all other elections, the voting machine or vote tally system may be used for voting, receiving, registering and counting the votes at the direction of the county clerk. (History: S.L. 1970, Ch. 140; S.L. 1972, Ch. 129)
- **34-2406. Joint purchase and use of machines authorized.** (1) In procuring the necessary voting machines or vote tally systems to be used, a governing body of any county, city, district or other political subdivision in the county, may by agreement entered into by the board of county commissioners and the governing bodies of cities, districts or other political subdivisions, provide for the joint purchase and subsequent ownership of voting machines or vote tally systems and for the care, maintenance and use of the machines or vote tally systems.
- (2) The governing body of two (2) or more counties may by agreement provide for the joint use of voting machines or vote tally systems. (History: S.L. 1970, Ch. 140)
- **34-2407.** Purchase of machines Manner of payment. (1) The governing body may, on the adoption and purchase of voting machines or vote tally systems, provide for their payment in the method it determines to be for the best interest of the county, city, district or other political subdivision. The governing body may make contracts for the purchase of the machines or vote tally systems with such provisions with regard to price, manner of purchase and time of payment that the governing body determines are proper.
- (2) For the purpose of paying for voting machines or vote tally systems, the governing body may:
- (a) Issue bonds, warrants, notes or other negotiable obligations. The bonds, warrants, certificates, notes or other obligations shall be a charge upon the county, city, district or other political subdivisions.
- (b) Pay for the voting machines or vote tally system in cash out of the general fund.
- (c) Provide for the payment for the voting machines or vote tally systems by other means.
- (3) In estimating the amount of taxes for the general fund, if any, the amount required for payment for voting machines or vote tally systems shall be added, extending over the time required to pay for the machines or vote tally systems. (History: S.L. 1970, Ch. 140)

34-2408. Prior approval required for issuance of bonds. The governing body of any county shall, prior to authorizing the issuance of bonds obtain the approval in writing of the secretary of state as to the type and number of machines or vote tally systems to be purchased and the price to be paid therefor. (History: S.L. 1970, Ch. 140)

34-2409. Examination of machines by secretary of state prior to adoption. (1) The secretary of state shall publicly examine all makes of voting machines or vote tally systems submitted to him and determine whether the machines or vote tally systems comply with the requirements of this chapter, and can safely be used by voters at elections under the provisions of this chapter. Any voting machine or vote tally system shall be certified by the secretary of state for use in Idaho. Except for functions or capabilities unique to this state, voting machines and vote tally systems shall be tested and the results certified by an independent testing authority designated by the secretary of state prior to certification.

- (2) Any person owning or interested in a voting machine or vote tally system may submit it to the secretary of state for examination. No examination shall be conducted unless documentation is provided indicating that the voting machine or vote tally system meets the federal election commission standards. For the purpose of assistance in examining the machine or vote tally system the secretary of state may employ not more than three (3) individuals who are expert in one (1) or more of the fields of data processing, mechanical engineering and public administration. The compensation of these assistants shall be paid by the person submitting the machine or vote tally system.
- (3) Within thirty (30) days after completing the examination and approval of any voting machine or vote tally system the secretary of state shall make and file in his office his report on the machine or vote tally system, together with a written or printed description and drawings and photographs clearly identifying the machine or vote tally system and the operation thereof. As soon as practicable after such filing, the secretary of state upon request shall send a copy of the report to any governing body within the state
- (4) Any voting machine or vote tally system that receives the approval of the secretary of state may be used for conducting elections in this state. Any machine or vote tally system that does not receive such approval shall not be adopted for or used at any election. After a voting machine or vote tally system has been approved by the secretary of state, any change or improvement in the machine or vote tally system that does not impair its accuracy, efficiency or capacity shall not render necessary a reexamination or reapproval of the machine or vote tally system.
- (5) Any voting system, including paper ballots, that was used in the 2004 general election shall be continued to be authorized for use as long as the voting system meets the requirements of the "Help America Vote Act of 2002," Public Law 107-252.
- (6) For all elections conducted after 2004, no direct recording electronic voting device shall be used unless the direct recording electronic voting device has a voter verifiable paper audit trail. Any certifications of a direct recording electronic voting device without a voter verifiable paper audit trail are hereby declared null and void.
 - (7) The secretary of state may periodically review the various voting systems that

have been certified for use in the state to ensure such systems meet the standards set forth by the federal election assistance commission and the national institute of standards and technology. Any voting system that does not meet such standards may be decertified after a public hearing. (History: S.L. 1970, Ch. 140; S.L. 2001, Ch. 272; S.L. 2005, Ch. 282; S.L. 2007, Ch. 202; S.L. 2012, Ch. 179)

- **34-2410.** Specifications for voting machines or vote tally systems. (1) No voting machine or vote tally system shall be approved by the secretary of state unless it is constructed so that it:
 - (a) Secures to the voter secrecy in the act of voting.
- (b) Provides facilities for voting for the candidates of as many political parties or organizations as may make nominations and for or against as many measures as may be submitted.
- (c) Permits the voter to vote for any person for any office and upon any measure that he has the right to vote for.
- (d) Permits the voter, except at primary elections, to vote for all the candidates of one (1) party or in part for the candidates of one (1) party and in part for the candidates of one or more other parties.
- (e) Permits the voter to vote for as many persons for an office as he is lawfully entitled to vote for but no more.
- (f) Prevents the voter from voting for the same person more than once for the same office.
- (g) Correctly registers or records all votes cast for any and all persons and for or against any and all measures.
- (h) Can be adjusted so that the counting mechanism rejects any vote cast on the tabulating card in excess of the number which the voter is entitled to vote.
- (i) Provides that a vote for more than one (1) candidate cannot be cast by one (1) single operation of the machine or vote tally system.
 - (2) A vote tally system shall be:
- (a) Capable of correctly counting votes on ballots or ballot cards on which the proper number of votes have been marked for any office or question or issue that has been voted.
- (b) Capable of ignoring the votes marked for any office or question or issue where more than the allowable number of votes have been marked, but shall correctly count the properly voted portions of the ballot card.
- (c) Capable of accumulating a count of the specific number of ballots or ballot cards tallied for a precinct, accumulating total votes by a candidate for each office; and accumulating total votes for and against each question and issue of the ballots or ballot cards tallied for a precinct.
- (d) Capable of tallying votes from ballots or ballot cards of different political parties, from the same precinct, in the case of a primary election.
- (e) Capable of accommodating rotation of candidates' names on the ballot or ballot card, provided that all ballots or ballot cards from one (1) precinct shall be of the same rotation sequence.
- (f) Capable of automatically producing precinct totals in either printed, marked, or punched form, or combinations thereof. (History: S.L. 1970, Ch. 140)

- **34-2411. Duties of clerks of election boards.** (1) The secretary of state shall issue an administrative order outlining the duties of each of the clerks on the election board. He shall devise and prescribe for use by each local election officer the contents, form, character and kinds of ballots, ballot labels, ballot cards, formats, records, papers and documents and other materials and supplies and procedures necessary in the use of voting machines or vote tally systems and in the process of counting and tabulating the ballots by mechanical or electrical counting devices or equipment or computers.
- (2) The secretary of state shall prescribe rules and regulations to achieve and maintain the maximum degree of correctness, impartiality and efficiency on the procedures of voting, and of counting, tabulating and recording votes, by the devices, machines or vote tally systems and methods provided by this act. (History: S.L. 1970, Ch. 140)
- **34-2412.** Composition of precinct election boards. (1) The election board of each election precinct in which a voting machine or vote tally system is used shall consist of an election judge and one (1) or more clerks. Each election board shall contain personnel representing all existing political parties if a list of applicants has been provided to the county clerk by the precinct committeemen of the precincts at least sixty (60) days prior to the primary election. The county clerk shall establish the number of election board clerks.
- (2) The qualifications and duties of election judges shall apply to the appointment of election board clerks in counties or precincts where voting machines or vote tally systems are used. (History: S.L. 1970, Ch. 140; S.L. 1974, Ch. 75; S.L. 1989, Ch. 346; S.L. 2012, Ch. 211)
- **34-2413.** Preparation of machines for use Instructions. (1) Before each election at which voting machines or vote tally systems are to be used, the county clerk of a county, in which voting machines or vote tally systems are to be used, shall cause them to be properly prepared and shall cause the election board to be properly instructed in their use.
- (2) For the purpose of giving such instruction, the county clerk shall call the meeting or meetings of the election board that are necessary. Each election board shall attend the meetings and receive the instruction necessary for the proper conduct of the election with the machine or vote tally system.
- (3) No election board judge or clerk shall serve in any election at which a voting machine or vote tally system is used unless he has received the required instruction and is fully qualified to perform the duties in connection with the machine or vote tally system; but this requirement shall not prevent the appointment of an election board clerk to fill a vacancy in an emergency. (History: S.L. 1970, Ch. 140; S.L. 2012, Ch. 211)
- **34-2414. Printed matter and supplies.** (1) The election officer charged with the duty of providing ballots shall provide all necessary instruction, forms and supplies required for the proper use of the voting machines or vote tally systems.
- (2) Within a proper and reasonable time before the first election at which voting machines or vote tally systems are to be used, the secretary of state shall prepare samples

- of the printed matter and supplies required. He shall furnish one (1) of each of the samples to the election officer in charge of the election of each county, city, district or other political subdivision in which the machines or vote tally systems are to be used.
- (3) The county clerk or other election officer shall deliver voting machines to each election board as provided for election supplies. (History: S.L. 1970, Ch. 140)
- **34-2415. Preparation of polling place for election.** (1) The election board of each election precinct in which a voting machine is to be used shall meet at the polling place for the election precinct at least thirty (30) minutes before the time set for opening the polls. Before preparing the machine for voting, the election board shall proceed as prescribed in subsection (2) of this section.
 - (2) The election board shall:
- (a) Cause the voting machine to be placed where it can be conveniently attended by the election board and conveniently operated by the voters and where the ballot labels on the machines can be plainly seen by the election board and the public when not being voted on.
- (b) Cause the model to be placed where each voter can conveniently operate it and receive instructions on the model as to the manner of voting before entering the voting machine booth.
 - (c) Determine that the ballot labels are in the proper place on the machine.
- (3) After performing their duties as provided in this section, the election board shall certify to the fact in the appropriate places in the poll book. (History: S.L. 1970, Ch. 140)
- **34-2416.** Procedure for preparing machines for an election. (1) In preparing a voting machine for an election, the county clerk or the clerk of the city, district or other political subdivision, as the case may be, shall:
- (a) Arrange the machine and the ballot labels so that it shall in every particular case meet the requirements of voting and counting at such elections.
- (b) Thoroughly inspect and test the machine, and file a certificate in his office that the ballot labels have been properly arranged.
- (2) The arrangement of offices and names of candidates upon the ballot labels shall conform as nearly as practicable to the provisions of law for the arrangement of names on paper ballots, and in the event that there are more candidates for any office than can be placed upon one (1) page, the labels shall be clearly marked to indicate that the names of candidates for the office are continued on the following page.
- (3) Representatives of political parties and candidates shall be permitted to examine the voting machines or vote tally systems. (History: S.L. 1970, Ch. 140)
- **34-2417. Notice of locations of voting machines and polling places.** Before preparing the voting machines or vote tally systems for any election, the county clerk shall mail to the chairman of the county or legislative district central committees of each political party who has notified such clerk that notice is desired, a written notice stating the time and place or places where voting machines or vote tally systems will be prepared for the election. At such times and places, one (1) representative of each political party is entitled to be present and see that the machines or vote tally systems

are properly prepared and placed in proper condition and order for use at the election. In nonpartisan elections each candidate may designate one (1) representative who has the same powers as the political party representatives. The political party and candidate representatives shall certify that they have witnessed the testing and preparation of the machines or vote tally systems. The certificates shall be filed in the office of the county clerk. (History: S.L. 1970, Ch. 140)

- **34-2418. Ballots and ballot labels.** (1) The ballots and ballot labels required to be furnished for general or special elections shall be printed in black ink on clear white material of such size and arrangements as to suit the construction of the machine. The ballot labels for measures may contain a condensed statement of purpose for each measure to be voted on, accompanied by the words "Yes" and "No." The title of the offices on the ballot labels shall be printed in type as large as the space for the office will reasonably permit. Where more than one (1) candidate can be voted for an office, there shall be printed below the office title words indicating the number the voter is lawfully entitled to vote for out of the whole number of candidates, such as "Vote for Two."
- (2) The ballots and ballot labels required to be furnished for primary elections may be of different colors for the political parties who are nominating or electing candidates.
- (3) The "judiciary ballot" may be added to the ballot labels for the political parties. Candidates for the above offices will be shown under the general title of nonpartisan judicial candidates.
- (4) When a vote tally system is used, the county clerk shall prepare the ballots as nearly as practicable as required by law. (History: S.L. 1970, Ch. 140; S.L. 1994, Ch. 54)
- **34-2419. Rotation of names of candidates.** In each primary and general election when two (2) or more persons are candidates for nomination or election to the same office, the county clerk or the clerk of a city, district or other municipality in which voting machines or vote tally systems are used shall rotate the names of candidates as directed by the secretary of state. (History: S.L. 1970, Ch. 140)
- **34-2420.** Examinations of face of machine during election. The election board shall occasionally examine the face of the voting machine and the ballot labels to determine that the machine and the ballot labels have not been damaged or tampered with. (History: S.L. 1970, Ch. 140)
- **34-2421.** Procedure if a voting machine becomes inoperative. (1) If any voting machine used in any election precinct, during or before the time the polls are opened, becomes damaged so as to render it inoperative in whole or in part, an election board clerk immediately shall notify the election officer charged with the care of the machine.
- (2) If possible, the election officer so notified shall repair the machine at once or substitute another machine for the damaged machine.
- (3) If no other machine can be procured for use at the election and the damaged machine cannot be repaired in time for further use at the election, or where in the discretion of a majority of the members of the election board it is impracticable to use

the machine, the election board shall permit the voters to use paper ballots prepared as in cases where paper ballots are used. The paper ballots shall be furnished to the election board by the county clerk. The paper ballots shall be issued, voted and deposited in ballot boxes in as nearly the same manner as provided by law, except that the paper ballots shall not be tallied and returned by the election board. Instead, these paper ballots shall be delivered to the county clerk for his tally and canvass. (History: S.L. 1970, Ch. 140; S.L. 1971, Ch. 5)

- 34-2422. Closing of polls Delivery of ballots to clerk before polls closed. (1) At the hour for closing the polls, the election board shall declare the polls of the election closed and shall not permit any further voting. However, electors who are, at the hour of closing, within the polling room or awaiting their turn to vote shall be considered as having begun the act of voting and shall be permitted to cast their votes.
- (2) At any time prior to the closing of the polls provision may be made for the delivery of voted ballots to the county clerk or the clerk of a city, district or other political subdivision for counting. If such procedure is adopted, the result of this early count shall not be released to the public until after 8:00 p.m. of election day. (History: S.L. 1971, Ch. 5)
- **34-2423. Absent voting by voting machine or paper ballot.** The county clerk may provide that absent voting shall be either by voting machine or by marking a paper ballot or a combination of both. In any of the foregoing cases he may establish one (1) absent elector unit to handle and process absent elector ballots for each legislative district within his county and shall cause sufficient ballots of the proper kind or kinds to be provided.

Voted ballots shall be retained by the county clerk until election day when they shall be transferred to the ballot processing center and thereafter made a part of the election returns. (History: S.L. 1970, Ch. 140; S.L. 1976, Ch. 73)

- **34-2424. Paper ballots used in conjunction with voting machines.** In any election where voting machines or vote tally systems are used:
 - (1) Paper ballots may be used to record the electors' votes for party offices.
- (2) Paper ballots may be used to record the electors' votes for or against municipal candidates or measures.
- (3) Paper ballots which are used in conjunction with voting machines may be returned to the office of the county clerk for counting by special counting boards. Ballots so counted shall be tallied and returned by precinct or polling location for elections conducted pursuant to chapter 14, title 34, Idaho Code.
- (4) Ballots or ballot cards may be returned to the office of the county clerk for counting.
- (5) In the event that paper ballots are used in conjunction with voting machines or vote tally systems to record write-in votes, these paper ballots may be returned to the office of the county clerk for counting by special counting boards. Ballots so counted shall be tallied and returned by precinct or polling location for elections conducted pursuant to chapter 14, title 34, Idaho Code. (History: S.L. 1970, Ch. 140; S.L. 2012, Ch. 211)

- **34-2425. Preparation and distribution of sample ballots.** (1) At each primary, general and special election there shall be provided as many sample ballots as the county clerk considers necessary. The sample ballots shall be prepared and distributed as provided by law.
- (2) For each primary, general and special election the county clerk shall cause to be published a facsimile, except as to size, of the sample ballot required in subsection (1) of this section. (History: S.L. 1970, Ch. 140)
- **34-2426.** Exhibition of voting machines for instruction of voters. (1) Before each election at which voting machines are to be used the county clerk shall place on public exhibition a suitable number of voting machines for the proper instruction of voters. The machines shall be arranged and equipped with ballot labels so as to best illustrate the method of voting at that election and so far as practicable, shall contain:
 - (a) The names of the offices to be filled.
- (b) The names of the candidates to be voted for, together with their proper party designations in case of party elections.
 - (c) Statements of the measures to be voted on.
- (2) In addition to supplying sample ballots, the county clerk shall, before the election, take reasonable additional steps to familiarize the voters with a diagram showing the face of the voting machine after the official ballot labels are arranged thereon with illustrated instructions how to vote, and with the locations of the voting machines that are on public exhibition.
- (3) Before each election at which a vote tally system is to be used, the county clerk shall make every reasonable effort to acquaint the electors within his county with the ballot format and the marking system. (History: S.L. 1970, Ch. 140)
- **34-2427. Voters with physical or other disability.** (1) The election board clerks shall instruct electors on how to record their votes on the voting machine or vote tally system, and shall give assistance to any elector who declares that he is unable by reason of physical or other disability to record his vote on the machine or vote tally system, and on request by the elector after he has entered the voting booth, shall give him the necessary information to enable him to record his vote.
- (2) Any elector who, because of blindness, physical or other disability, is unable to mark his ballot shall, upon request, receive the assistance of the election board clerks or some other person chosen by the elector in the marking thereof. Such clerks or person shall ascertain the wishes of the elector and mark his ballot in accordance therewith, and shall thereafter give no information regarding such marking. Whenever an elector receives assistance in this manner, a clerk shall make a notation thereof in the combination election record and poll book following the name of the elector.
- (3) If any elector, after entering the voting booth, asks for information regarding the operation of the voting machine or marking device, the election board clerks shall give him the necessary information. (History: S.L. 1970, Ch. 140; S.L. 1972, Ch. 129; S.L. 2010, Ch. 235; S.L. 2015, Ch. 282)

34-2428. [Repealed - S.L. 2001, Ch. 272].

34-2429. Validation of elections. All elections, including but not limited to bond issue elections, heretofore conducted pursuant to this chapter and all proceedings had or to be had in the authorization and issuance of the bonds authorized thereat, together with all such bonds when issued, are hereby validated, ratified and confirmed, and all such bonds when issued are declared to constitute legally binding obligations in accordance with their terms. Nothing in this section shall be construed to affect or validate any bond election, or bonds issued pursuant thereto, the legality of which are being contested at the time this act takes effect. (History: S.L. 1974, Ch. 3)

34-2430. [Repealed - S.L. 1972, Ch. 129]

34-2431 - 34-2446. [Repealed - S.L. 1970, Ch. 140]

CHAPTER 25 ELECTION CAMPAIGN FUND

34-2501 - 34-2505. [Repealed - S.L. 2010, Ch. 3]

TITLE 1 COURTS and COURT OFFICIALS

CHAPTER 22 MAGISTRATE DIVISION OF THE DISTRICT COURT

- **1-2205. District magistrates commission—Powers and duties.** The district magistrates commission shall have the following powers and duties:
- (a) To determine the number and location of magistrate judges to be appointed within the judicial district, subject to appropriations by the legislature, pursuant to section 1-2215, Idaho Code; provided, that there shall be at least one (1) resident magistrate judge appointed in each county, except for those counties in which the board of county commissioners; at any time has adopted by majority vote, without subsequent rescission, a resolution waiving the right to a resident magistrate judge, pursuant to section 31-879, Idaho Code;
- (b) To appoint the magistrate judges within the district on a nonpartisan merit basis, except as provided in section 1-2220, Idaho Code;
- (c) To conduct studies for the improvement of the administration of justice within the district and to make recommendations for improvements therein to the legislature, the supreme court, the district court and such other governmental agencies as may be interested in or affected by such recommendations.

The actions of the commission pursuant to subsections (a) and (b) of this section shall be subject to disapproval by a majority of the district judges in the district within thirty (30) days after written notice to the district judges of the commission's actions, unless such time be extended for good cause by order of the supreme court. (History: S.L. 1969, Ch. 104; S.L. 1973, Ch. 78; S.L. 1977, Ch. 233; S.L. 1980, Ch. 393; S.L. 1981, Ch. 111; S.L. 2008, Ch. 38)

- **1-2206.** Magistrates Qualifications Institute Exceptions Office appointive. (1) A magistrate shall be an elector of the state of Idaho and shall reside in the county for which the appointment is made throughout the term of service as magistrate.
- (2) To be appointed to the office of magistrate judge a person must, at the time of such appointment, meet all of the following qualifications:
 - (a) Be at least thirty (30) years of age;
 - (b) Be a citizen of the United States;
 - (c) Have been a legal resident of the state of Idaho for at least two (2) continuous years immediately preceding such appointment;
 - (d) Have been in good standing as an active or judicial member of the Idaho state bar for at least two (2) continuous years immediately preceding such appointment; and
 - (e) Have held a license to practice law or held a judicial office in one (1) or more jurisdictions for at least five (5) continuous years immediately preceding such appointment.

For purposes of this section, the following terms have the following meanings:

- (a) "Active," "judicial" and "good standing" have the same definitions as those terms are given by rule 301 of the Idaho bar commission rules or any successors to those rules:
- (b) "Jurisdiction" means a state or territory of the United States, the District of

Columbia or any branch of the United States military; and

- (c) "Elector" means one who is lawfully registered to vote.
- (3) Magistrates shall not take office for the first time as magistrates until they have attended an institute on the duties and functioning of the magistrate's office to be held under the supervision of the supreme court, unless such attendance is waived by the supreme court. All magistrates shall be entitled to their actual and necessary expenses while attending institutes. The supreme court will establish the institute to which this subsection refers and will provide that the institute be held at such other times and for such other purposes as it deems necessary and may require the attendance of magistrates.
- (4) Notwithstanding the provisions of subsection (2) of this section, all magistrates holding office on the effective date of this act shall be eligible for appointment to the office of magistrate and for retention in office pursuant to section 1-2220, Idaho Code. (History: S.L. 1969, Ch. 104; S.L. 1979, Ch. 149; S.L. 1982, Ch. 217; S.L. 1982, Ch. 298; S.L. 2015, Ch. 310)
- **1-2207. Magistrates—Term—Removal—Vacancies** (1) The term of office of a magistrate shall be four (4) years. The term of office of a magistrate shall begin on the second Monday of January of the odd-numbered year next succeeding his election.
- (2) Vacancies in the office of magistrate shall be filled by appointment pursuant to section 1-2205, Idaho Code.
- (3) Any magistrate appointed pursuant to section 1-2205, Idaho Code, and subsection (2) of this section, shall exercise the authority of a magistrate from the date of taking office. A magistrate appointed after the effective date of this act may be removed from office within eighteen (18) months of his appointment by majority vote of all the voting members of the district magistrates commission without cause in accordance with procedures to be established by rules of the Supreme Court.
- (4) A magistrate may be removed from office before the expiration of the term to which he was appointed or elected as provided by section 1-2103A, Idaho Code. (History: S.L. 1969, Ch. 104; S.L. 1973, Ch. 78; S.L. 1974, Ch. 116; S.L. 1977, Ch. 233; S.L. 1979, Ch. 149; S.L. 1990, Ch. 71)
- 1-2220. Retention or Nonretention of Magistrate by Vote. Any magistrate appointed pursuant to the provisions of section 1-2205, Idaho Code, and section 1-2207(2), Idaho Code, shall stand for office in the first general election next succeeding the expiration of the eighteen (18) month period established pursuant to section 1-2207, Idaho Code. Any magistrate may, not less than ninety (90) days prior to the holding of the general election next preceding the expiration of his term of office, file in the office of the county clerk of the county for which he is a resident magistrate, accompanied by a filing fee of forty dollars (\$40.00), a declaration of candidacy to succeed himself. If a declaration is not so filed by any magistrate, the vacancy resulting from the expiration of his term of office shall be filled by appointment as herein provided, except that any magistrate who does not file shall be ineligible for appointment within the same judicial district until two (2) years following the expiration of his last term of office have expired. If such declaration is filed, his name shall be submitted at the next general election to the voters eligible to vote within the county for which he is appointed, on a nonpartisan

judicial ballot, without party designation, w	hich shall read:	
"Shall Magistrate	_(Here insert the name of the magistrate) of	
(Here insert the name of the county) County of the(Here		
insert the judicial district number) Judicial District be retained in office?" (Here provision		
is to be made for voting "Yes" or "No.")		

The votes shall be canvassed as provided in chapter 12, title 34, Idaho Code.

If a majority of those voting on the question vote against retaining him in office, upon the expiration of his term of office, a vacancy shall exist which shall be filled by appointment as provided in section 1-2205, Idaho Code, except that the magistrate not retained in office shall be ineligible for appointment within the same judicial district until two (2) years following the expiration of his last term of office have expired.

If a majority of those voting on the question vote for retaining him in office, the county clerk shall issue him a certificate of election as provided in section 34-1209, Idaho Code, and said magistrate shall, unless removed for cause, remain in office for an additional term of four (4) years, and at the expiration of each such four (4) year term shall be eligible for retention in office by election in the manner herein prescribed. (History: S.L. 1973, Ch. 78; S.L. 1974, Ch. 116; S.L. 1977, Ch. 233; S.L. 1979, Ch. 149; S.L. 2003, Ch. 55)

CHAPTER 24 COURT OF APPEALS

1-2404. Number of Judges—Qualifications—Conduct and discipline—Term
—Election— Selection— Compensation. (1) The court of appeals shall consist of four (4) judges, and shall sit in panels of not less than three (3) judges each.

- (2) To be elected or appointed to the office of judge of the court of appeals a person must, at the time of such election or appointment, meet all of the following qualifications:
 - (a) Be at least thirty (30) years of age;
 - (b) Be a citizen of the United States and an elector of the state of Idaho;
 - (c) Have been a legal resident of the state of Idaho for at least two (2) continuous years immediately preceding such election or appointment;
 - (d) Have been in good standing as an active or judicial member of the Idaho state bar for at least two (2) continuous years immediately preceding such election or appointment; and
 - (e) Have held a license to practice law or held a judicial office in one (1) or more jurisdictions for at least ten (10) continuous years immediately preceding such election or appointment.

For purposes of this section, the following terms have the following meanings:

- (a) "Active," "judicial" and "good standing" have the same definitions as those terms are given by rule 301 of the Idaho bar commission rules or any successors to those rules;
- (b) "Jurisdiction" means a state or territory of the United States, the District of Columbia or any branch of the United States military; and
- (c) "Elector" means one who is lawfully registered to vote.
- (3) A judge of the court of appeals shall be governed by the code of judicial conduct

as promulgated by the Idaho supreme court, and shall be subject to removal, discipline, or retirement pursuant to section 1-2103, Idaho Code.

- (4) (a) Judges of the court of appeals shall be appointed by the governor effective the first Monday of January, 1982, for the following initial terms: one (1) judge shall be appointed for a term to expire on the first Monday of January, 1985, one (1) judge shall be appointed for a term expiring two (2) years later, and one (1) judge shall be appointed for a term expiring two (2) further years later. Thereafter, the term of office of a judge of the court of appeals shall be six (6) years.
- (b) Vacancies in the office of judge of the court of appeals shall be filled in the same manner as vacancies in the office of supreme court justice or district judge.
- (c) The positions of judges of the Idaho court of appeals shall first be filled as vacancies. The judicial council shall submit to the governor its recommendations for the offices at the earliest practicable time after the effective date of this act. The governor may make the appointment at any time thereafter, to be effective the first Monday of January, 1982, for the terms set forth in subsection(4)(a) of this section.
- (d) In making its nominations for the initial vacancies to be created by this act, the Idaho judicial council shall submit the names of not less than six (6) nor more than nine (9) qualified persons for the initial three (3) vacancies to be created by this act. Otherwise, the judicial council shall submit the names of not less than two (2) nor more than four (4) persons for each vacancy. The governor shall appoint the judges, identifying each appointment by the length of the term of appointment.
- (e) Nominations and appointments to fill initial or subsequent vacancies shall be made with due regard for balanced geographical membership of the court of appeals.
- (f) Subsequent terms of office of a judge who has been appointed to the court of appeals shall be subject to a statewide nonpartisan election to be held in the primary election next preceding the expiration of an appointed term in the same method and manner as a justice of the supreme court.
- (g) A fourth judge of the court of appeals shall be appointed by the governor effective the first Monday of January, 2009, for an initial term to expire on the first Monday of January, 2013. Thereafter, the term of office for this position shall be six (6) years. The judicial council shall submit the names of not less than two (2) nor more than four (4) persons for the initial vacancy in this position under the procedure set forth in section 1-2102, Idaho Code. This position shall be subject to all of the provisions relating to qualifications, removal, discipline, retirement, filling of vacancies, election and compensation set forth in this chapter.
- (5) Judges of the court of appeals, except for judges who have made an election to remain in the public employee retirement system of Idaho pursuant to section 1-2011, Idaho Code, shall receive compensation upon retirement as provided in chapter 20, title 1, Idaho Code. (History S.L. 1980, Ch. 245; S.L. 1981, Ch. 271; S.L. 1985, Ch. 29; S.L. 1998, Ch. 126; S.L. 2008, Ch. 24; S.L. 2014, Ch. 291; S.L. 2015, Ch. 310)

TITLE 18 - SECTION 310 TITLE 18 - CHAPTER 23 ELECTIONS

TITLE 18 CRIMES AND PUNISHMENTS CHAPTER 3 NATURE AND EXTENT OF PUNISHMENT IN GENERAL

- 18-310. Imprisonment Effect on civil rights and offices. (1) A sentence of custody to the Idaho state board of correction suspends all the civil rights of the person so sentenced, including the right to refuse treatment authorized by the sentencing court, and forfeits all public offices and all private trusts, authority or power during such imprisonment: provided that any such person may bring an action for damages or other relief in the courts of this state or have an action brought against such person; and provided further that any such person may lawfully exercise all civil rights that are not political during any period of parole or probation, except the right to ship, transport, possess or receive a firearm, and the right to refuse treatment authorized by the sentencing court.
- (2) Upon final discharge, a person convicted of any Idaho felony shall be restored the full rights of citizenship, except that for persons convicted of treason or those offenses enumerated in paragraphs (a) through (ii) of this subsection the right to ship, transport, possess or receive a firearm shall not be restored. As used in this subsection, "final discharge" means satisfactory completion of imprisonment, probation and parole as the case may be.
 - (a) Aggravated assault (18-905, 18-915, Idaho Code);
 - (b) Aggravated battery (18-907, 18-915, Idaho Code);
 - (c) Assault with intent to commit a serious felony (18-909, 18-915, Idaho Code);
 - (d) Battery with intent to commit a serious felony (18-911, 18-915, Idaho Code);
 - (e) Burglary (18-1401, Idaho Code);
 - (f) Crime against nature (18-6605, Idaho Code);
 - (g) Domestic battery, felony (18-918, Idaho Code);
 - (h) Enticing of children, felony (18-1509, Idaho Code);
 - (i) Forcible sexual penetration by use of a foreign object (18-6608, Idaho Code);
 - (j) Indecent exposure, felony (18-4116, Idaho Code);
 - (k) Injury to child, felony (18-1501, Idaho Code);
 - (1) Intimidating a witness, felony (18-2604, Idaho Code);
 - (m) Lewd conduct with a minor or child under sixteen (18-1508, Idaho Code);
 - (n) Sexual abuse of a child under sixteen (18-1506, Idaho Code);
 - (o) Sexual exploitation of a child (18-1507, Idaho Code);
 - (p) Felonious rescuing prisoners (18-2501, Idaho Code);
 - (q) Escape by one charged with, convicted of or on probation for a felony (18-2505, Idaho Code);
 - (r) Unlawful possession of a firearm (18-3316, Idaho Code);
 - (s) Degrees of murder (18-4003, Idaho Code);
 - (t) Voluntary manslaughter (18-4006(1), Idaho Code);
 - (u) Assault with intent to murder (18-4015, Idaho Code);
 - (v) Administering poison with intent to kill (18-4014, Idaho Code);
 - (w) Kidnapping (18-4501, Idaho Code); (x) mayhem (18-5001, Idaho Code);
 - (y) Rape (18-6101, Idaho Code);
 - (z) Robbery (18-6501, Idaho Code);

- (aa) Ritualized abuse of a child (18-1506A, Idaho Code);
- (bb) Cannibalism (18-5003, Idaho Code);
- (cc) Felonious manufacture, delivery or possession with the intent to manufacture or deliver, or possession of a controlled or counterfeit substance (37-2732, Idaho Code);
- (dd) Trafficking (37-2732B, Idaho Code);
- (ee) Threats against state officials of the executive, legislative or judicial branch, felony (18-1353A, Idaho Code);
- (ff) Unlawful discharge of a firearm at a dwelling house, occupied building, vehicle or mobile home (18-3317, Idaho Code);
- (gg) Unlawful possession of destructive devices (18-3319, Idaho Code);
- (hh) Unlawful use of destructive device or bomb (18-3320, Idaho Code);
- (ii) Attempt (18-306, Idaho Code), conspiracy (18-1701, Idaho Code), or solicitation (18-2001, Idaho Code), to commit any of the crimes described in paragraphs (a) through (hh) of this subsection.
- (jj) The provisions of this subsection shall apply only to those persons convicted of the enumerated felonies in paragraphs (a) through (ii) of this subsection on or after July 1, 1991, except that persons convicted of the felonies enumerated in paragraphs (s) and (t) of this subsection, for any degree of murder or voluntary manslaughter, shall not be restored the right to ship, transport, possess or receive a firearm, regardless of the date of their conviction if the conviction was the result of an offense committed by use of a firearm.
- (3) A person not restored to the civil right to ship, transport, possess or receive a firearm may make application to the commission of pardons and parole to restore the civil right to ship, transport, possess or receive a firearm. The commission shall not accept any such application until five (5) years after the date of final discharge. The commission shall conduct the proceeding upon such application pursuant to rules adopted in accordance with the law. The commission shall not restore the right to ship, transport, possess or receive a firearm to any person convicted of murder in the first degree (18-4003, Idaho Code), murder in the second degree (18-4003, Idaho Code), or any felony enumerated in paragraphs (a) through (ii) of subsection (2) of this section, upon which the sentence was enhanced for the use of a firearm during the commission of said felony. (4) Persons convicted of felonies in other states or jurisdictions shall be allowed to register and vote in Idaho upon final discharge which means satisfactory completion of imprisonment, probation and parole as the case may be. These individuals shall not have the right restored to ship, transport, possess or receive a firearm in the same manner as an Idaho felon as provided in subsection (2) of this section. (History: S.L. 1972, Ch. 336; S.L. 1981, Ch. 182; S.L. 1982, Ch. 368; S.L. 1991, Ch. 202; S.L. 1993, Ch. 120; S.L. 1993, Ch. 184, S.L. 1998, Ch. 171; S.L. 2003, Ch. 113; S.L. 2003, Ch. 253; S.L. 2004, Ch. 166; S.L. 2016, Ch. 296)

CHAPTER 23 ELECTIONS

- **18-2301. Official neglect or malfeasance.** Every person charged with the performance of any duty, under the provisions of any law of this state relating to elections, who wilfully neglects or refuses to perform it, or who, in his official capacity, knowingly and fraudulently acts in contravention or violation of any of the provisions of such laws, is, unless a different punishment for such acts or omissions is prescribed by this Code, punishable by fine not exceeding one thousand dollars (\$1,000), or by imprisonment in the state prison not exceeding five (5) years, or by both and shall in addition thereto, and regardless of whether or not criminal prosecution is undertaken, be subject to removal from office as provided in title 19, chapter 41, Idaho Code. (History: S.L. 1972, Ch. 336)
- **18-2302.** False swearing as to qualifications as voter. Every person who, upon his right to vote being challenged at any election held under the laws of this state, wilfully, corruptly and falsely swears touching his qualifications as a voter, is guilty of perjury. (History: S.L. 1972, Ch. 336)
- **18-2303. Refusal to be sworn or to answer questions.** Every person who, after being required by the board of judges at any election, refuses to be sworn, or who, after being sworn, refuses to answer any pertinent question propounded by such board, touching his right, or the right of any other person, to vote, is guilty of a misdemeanor. (History: S.L. 1972, Ch. 336)
- **18-2304. Procuring illegal votes.** Every person who procures, aids, assists, counsels or advises another to give or offer his vote at any election, knowing that the person is not qualified to vote, is guilty of a misdemeanor. (History: S.L. 1972, Ch. 336)
- **18-2305. Intimidation, corruption and frauds.** Every person who, by force, threats, menaces, bribery, or any corrupt means, either directly or indirectly attempts to influence any elector in giving his vote, or to deter him from giving the same, or attempts by any means whatever, to awe, restrain, hinder or disturb any elector in the free exercise of the right of suffrage, or furnishes any elector wishing to vote, who can not read, with a ticket, informing or giving such elector to understand that it contains a name written or printed thereon different from the name which is written or printed thereon, or defrauds any elector at any such election, by deceiving and causing such elector to vote for a different person, for any office, than he intended or desired to vote for; or who, being officer, judge, or clerk of any election, while acting as such, induces, or attempts to induce, any elector, either by menace or reward, or promise thereof, to vote differently from what such elector intended or desired to vote, is guilty of a misdemeanor. (History: S.L. 1972, Ch. 336)

18-2306. Illegal voting or interference with election. Every person not entitled to vote, who fraudulently votes, and every person who votes more than once at any one election, or knowingly hands in two (2) or more tickets folded together, or changes any ballot after the same has been deposited in the ballot box, or adds, or attempts to add, any ballot to those legally polled at any election, either by fraudulently introducing the same into the ballot box before or after the ballots therein have been counted, or adds to or mixes with, or attempts to add to or mix with, the ballots lawfully polled, other ballots, while the same are being counted or canvassed, or at any other time, with intent to change the result of such election; or carries away or destroys, or attempts to carry away or destroy, any poll list, or ballots, or ballot box, for the purpose of breaking up or invalidating such election, or wilfully detains, mutilates, or destroys any election returns, or in any manner so interferes with the officers holding such election or conducting such canvass, or with the voters lawfully exercising their rights of voting at such election, as to prevent such election or canvass from being fairly held and lawfully conducted, is guilty of a felony. (History: S.L. 1972, Ch. 336)

18-2307. Attempting to vote when not qualified, or to repeat voting. Every person not entitled to vote, who fraudulently attempts to vote, or who, after being entitled to vote, attempts to vote more than once at any election, is guilty of a misdemeanor. (History: S.L. 1972, Ch. 336)

18-2308. Attempt of officer to ascertain vote. Every officer, judge, or clerk of an election, who, previous to putting the ballot of an elector in the ballot box, attempts to find out any name on such ballot, or who opens, or suffers the folded ballot of any elector that has been handed in, to be opened or examined previous to putting the same into the ballot box, or who makes, or places any mark or device on any folded ballot, with a view to ascertain the name of any person for whom the elector has voted, or who, without the consent of the elector, discloses the name of any person which such officer, judge, or clerk has fraudulently or illegally discovered to have been voted for by such elector, is punishable by fine of not less than fifty dollars (\$50.00) nor more than one thousand (\$1,000). (History: S.L. 1972, Ch. 336; S.L. 2006, Ch. 71)

18-2309. Officers attempting to change result. Every officer or clerk of election who aids in changing or destroying any poll list, or in placing any ballots in the ballot box, or taking any therefrom, or adds, or attempts to add, any ballots to those legally polled at such election, either by fraudulently introducing the same into the ballot box before or after the ballots therein have been counted or adds to or mixes with, or attempts to add to or mix with the ballots polled any other ballots, while the same are being counted or canvassed, or at any other time, with intent to change the result of such election, or allows another to do so, when in his power to prevent it, or carries away or destroys, or knowingly allows another to carry away or destroy, any poll list, ballot box or ballots lawfully polled, is guilty of a felony. (History: S.L. 1972, Ch. 336)

- **18-2310.** Forging or counterfeiting returns. Every person who forges or counterfeits returns of an election purporting to have been held at a precinct, town, or ward where no election was in fact held, or wilfully substitutes forged or counterfeit returns of election in the place of the true returns for a precinct, town, or ward where an election was actually held, is guilty of a felony. (History: S.L. 1972, Ch. 336)
- **18-2311.** Adding to or subtracting from votes. Every person who wilfully adds to or subtracts from the votes actually cast at an election, in any returns, or who alters such returns, is guilty of a felony. (History: S.L. 1972, Ch. 336)
- **18-2312.** Aiding and abetting election offenses. Every person who aids or abets in the commission of any of the offenses mentioned in the four preceding sections, is punishable by imprisonment in the county jail for the period of six (6) months, or in the state prison not exceeding two (2) years. (History: S.L. 1972, Ch. 336)
- **18-2313. Riotous conduct and interference with election.** Any person who wilfully disturbs, or is guilty of any riotous conduct at or near, any election place or voting precinct, with intent to disturb the same, or interferes with the access of the electors to the polling place, or in any manner, with the free exercise of the election franchise of the voters, or any voter there assembled, or disturbs or interferes with the canvassing of the votes, or with the making of the returns, is guilty of a misdemeanor. (History: S.L. 1972, Ch. 336)
- **18-2314. Betting on elections.** Every person who makes, offers, or accepts any bet or wager upon the result of any election, or upon the success or failure of any person or candidate, or upon the number of votes to be cast, either in the aggregate or for any particular candidate, or upon the vote to be cast by any person, is guilty of a misdemeanor. (History: S.L. 1972, Ch. 336)
- **18-2315.** Election offenses not otherwise provided for. Every person who wilfully violates any of the provisions of the laws of this state relating to elections is, unless a different punishment for such violation is prescribed by law, punishable by fine not exceeding \$1,000, or by imprisonment in the state prison not exceeding five (5) years, or by both. (History: S.L. 1972, Ch. 336)
- 18-2316. Tampering with certificates of nomination or ballots. No person shall falsely make, or make oath to, or fraudulently deface, or fraudulently destroy, any certificate of nomination, or any part thereof, or file, or receive for filing, any certificate of nomination, or letter of withdrawal, knowing the same or any part thereof to be falsely made, or suppress any certificate of nomination which has been duly filed, or any part thereof, or wilfully delay the delivery of any ballots, or forge or falsely make the official endorsement on the ballot, or wilfully destroy any ballot. Every person violating any of the provisions of this section shall be deemed guilty of a felony, and, upon conviction thereof in any court of competent jurisdiction, shall be punished by imprisonment in the penitentiary for a period of not less than one (1) year nor more than five (5) years. (History: S.L. 1972, Ch. 336)

- **18-2317. Destroying or defacing supplies.** No person shall, during the election, remove or destroy any of the supplies or conveniences placed in the booths or compartments for the purpose of enabling the voter to prepare his ballot, or prior to, or on the day of election, willfully deface or destroy any list of candidates posted in accordance with the provisions of title 34, Idaho Code, concerning elections. No person shall, during an election, tear down or deface the cards printed for the instruction of voters. Every person willfully violating any of the provisions of this section shall be deemed guilty of a misdemeanor, and, upon conviction thereof in any court of competent jurisdiction, shall be fined in any sum not exceeding one thousand dollars (\$1,000). (History: S.L. 1972, Ch. 336; S.L. 2006, Ch. 71)
- **18-2318.** Electioneering at Polls. (1) On the day of any primary, general or special election, no person may, within a polling place, or any building in which an election is being held, or within one hundred (100) feet thereof:
 - (a) Do any electioneering;
 - (b) Circulate cards or handbills of any kind;
 - (c) Solicit signatures to any kind of petition; or
 - (d) Engage in any practice which interferes with the freedom of voters to exercise their franchise or disrupts the administration of the polling place.
- (2) No person may obstruct the doors or entries to a building in which a polling place is located or prevent free access to and from any polling place.
- (3) Any election officer, sheriff, constable or other peace officer is hereby authorized, and it is hereby made the duty of such officer, to arrest any person violating the provisions of subsections (1) and (2) of this section, and such offender shall be punished by a fine of not less than twenty-five dollars (\$25.00) nor exceeding one thousand dollars (\$1,000). (History: S.L. 1986, Ch. 97; S.L. 1997, Ch. 360; S.L. 2006, Ch. 71; S.L. 2007, Ch. 202)
- **18-2319. Attempt to influence votes.** No person shall attempt to influence the vote of any elector by means of a promise or a favor, or by means of violence or threats of violence, or threats of withdrawing custom or dealing in business or trade, or enforcing the payment of a debt, or discharging from employment, or bringing a suit or criminal prosecution, or any other threat of injury to be inflicted by him, or by any other means. (History: S.L. 1972, Ch. 336)
- **18-2320. Bribery of electors.** No person shall in any way offer a bribe to an elector to influence his vote. (History: S.L. 1972, Ch. 336)
- **18-2321. Fraudulent permission of registration.** Any registry agent, or other person, who in any manner shall wilfully or corruptly permit any person not entitled to registration or to a certificate of registration, to be registered or have a certificate of registration, or who delays or fails to deliver the certified copies of the official register and the check list to the judges of election as required by law, or who permits any person to register after the date on which the registration books close, or who shall otherwise wilfully or corruptly violate any of the provisions of the law governing elections, the

penalty for which is not herein specially prescribed, shall be punished for each and every offense by imprisonment in the penitentiary for a term of not less than one (1) year nor more than five (5) years, or by a fine of not less than \$100 nor more than \$2,000, or by both such fine and imprisonment in the discretion of the court. (History: S.L. 1972, Ch. 336)

18-2322. Illegal registration by voter. Any person who shall willfully cause, or endeavor to cause, his name to be registered in any other election district than that in which he resides, or will reside prior to the day of the next ensuing election, except as herein otherwise provided, and any person who shall cause, or endeavor to cause, his name to be registered, knowing that he is not a qualified elector, and will not be a qualified elector on or before the day of the next ensuing election, in the election district in which he causes or endeavors to cause such registry to be made, and any person who shall induce, aid or abet any one in the commission of either of the acts in this section enumerated and described, shall be fined not less than fifty dollars (\$50.00) nor more than one thousand (\$1,000), or be confined in the county jail for not less than one (1) month nor more than six (6) months, or both. (History: S.L. 1972, Ch. 336; S.L. 2006, Ch. 71)

18-2323. Placing placards in booths. Any person or officer of election who shall put, or permit to be put, into a voting booth, any placard, notice or device, except the sample ballots and cards of instruction as by law provided, intended or likely to call the attention of the voter to any candidate, or to urge the voter to vote for any particular candidate, or shall put, or allow anything to be put, into such booths for the use or comfort of the voter whereby the claims of any candidate are urged upon the voter, either directly or indirectly, shall be imprisoned in the county jail not to exceed three (3) months, or fined not to exceed \$500.00, or both. (History: S.L. 1972, Ch. 336)

INDEX

ABSENTEE VOTING. ATTORNEY GENERAL - Cont'd **Early Voting,** §§34-1012, 34-1013. Elections - Cont'd Generally, §§34-1001 to 34-1013. Initiative and referendum elections. See ELECTIONS. Review of initiative & referendum measures by attorney general, AGE. §34-1809. Qualifications for election as attorney Attorney general. Qualifications, §34-612. general, §34-612. County treasurers. Recall elections generally, §§34-1701 to Qualifications, §34-620. 34-1715. District courts. See ELECTIONS. When attorney general elected, §34-612. Judges. Qualifications for election as district Qualifications for holding office, §34-612. judge, §34-616. Education. BALLOTS. Superintendent of public instruction. **Recount of ballots,** §§34-2301 to 34-2313. Qualifications, §34-613. See ELECTIONS. Elections. Qualifications of voters, §34-402. BOND ISSUES. Governor. Elections. Qualifications, §34-607. Ballots. Lieutenant governor. Void ballots. Qualifications, §34-608. Not counted at bond elections, Prosecuting attorneys. §34-1202A. Qualifications, §34-623. Contests. Bond or mill levy elections, §34-2001A. Secretary of state. Qualifications, §34-609. Disclosures in elections to authorized State controller. bonded indebtedness, §34-439. Qualifications, §34-610. State treasurer. BOUNDARIES. Qualifications, §34-611. Elections. Precincts. Supreme court. Changes in boundaries. Justices. Qualifications, §34-615. Alteration of registration cards, §34-417. AMENDMENTS. Maintenance of boundaries, §34-307. Constitution of Idaho. Requirements, §34-306. Constitutional conventions, §§34-2201 to Same as legislative districts, §34-301. 34-2216. See CONSTITUTIONAL CONVENTIONS. BREACH OF THE PEACE. Elections. ARREST. Privilege of electors from arrest, §34-401. Elections. Privilege of electors from arrest, §34-401. CHANGE OF NAMES. Elections. ATTORNEY GENERAL. Change of candidate's name, §34-903A. Age. Qualifications, §34-612. CONFIDENTIALITY OF INFORMATION. Elections. Elections. Officers not to divulge information, Candidates for attorney general. Declaration of candidacy, §34-612.

§34-1110. Registration cards, §34-416.

CONGRESS. Districts.

Number of congressional districts,

 $\begin{tabular}{ll} \textbf{CONSTITUTIONAL CONVENTIONS} - \textbf{Cont'd} \\ \textbf{Delegates} - \textbf{Cont'd} \\ \end{tabular}$

Election - Cont'd

ramoer or congressional districts,	Election Cont a
§34-1901.	Results, §34-2207.
Elections.	Ascertainment and certification,
Congressional districts.	§34-2203.
Number of districts, §34-1901.	Time for, §34-2201.
Representatives.	Vacancies.
Candidates.	Filling, §34-2207.
Declaration of candidacy, §34-605.	Expenses, §34-2212.
Qualifications, §34-605.	How paid, §34-2213.
Electors, US Const Art I §2	Meeting of delegates, §34-2208.
Vacancies.	Number of delegates, §34-2204.
Elections to fill.	Qualifications of delegates, §34-2205.
Exception to limitations on	Expenses.
•	*
number of elections, §34-106.	How paid, §34-2213.
When elected, §34-605.	Federal statute to control, §34-2214.
Senators.	Forms.
Candidates.	Election of delegates.
Declaration of candidacy, §34-604.	Ballots, §34-2206.
Electors, US Const Amds 14, 17.	Declarations of candidates, §34-2205.
Qualifications, §34-604.	Journal of proceedings, §34-2210.
When elected, §34-604.	Powers.
House of representatives.	Organizational powers of convention,
Qualifications, §34-605.	§34-2209.
Senate.	Ratification of proposed amendments.
Qualifications, §34-604.	Certificate of ratification, §34-2211.
	Separability of provisions, §34-2215.
CONSTABLES.	Title of act.
Elections.	Short title, §34-2216.
Election constable.	
Appointment, §34-1105.	CONSTITUTION OF IDAHO.
Duties, §34-1105.	Amendments.
Electioneering at polls.	Certification of proposed constitutional
Duty to make arrest, §18-2318.	amendment to be submitted to people for
CONCERNITION A CONTENTION	vote, §34-603.
CONSTITUTIONAL CONVENTIONS,	Conflicting amendments approved at same
§§34-2201 to 34-2216.	election.
Citation of act.	Procedure upon, §34-1811.
Short title, §34-2216.	General elections.
Delegates.	Submission to voters, §34-101.
Compensation.	Elections.
No compensation, §34-2212.	Certification of proposed constitution or
Election.	constitutional amendment to be submitted
Ascertainment and certification of	to people for vote, §34-603.
results, §34-2203.	
Ballot, §34-2206.	CONSTITUTION OF THE UNITED STATES.
Candidates.	Constitutional conventions, §§34-2201 to
Declaration of candidacy, §34-2205.	34-2216.
Nominating petitions, §34 -2205.	See CONSTITUTIONAL CONVENTIONS.
Forms.	
Ballots, §34-2206.	CONTESTS.
Declarations of candidates, §34-2205.	Elections.
Proclamation, §34-2201.	Contests other than legislative and state
Qualifications of voters, §34-2202.	executive offices, §§34-2001 to 34-2036.
. *	See ELECTIONS.

CONTESTS - Cont'd

Elections - Cont'd

Legislative and state executive offices, §§34-2101 to 34-2130. See ELECTIONS.

CONVENTIONS.

Constitutional conventions, §§34-2201 to

34-2216

See CONSTITUTIONAL CONVENTIONS.

CORONERS.

Elections.

Candidates.

Declaration of candidacy, §34-622.

Qualifications, §34-622.

When elected, §34-622.

CORRUPTION.

Elections.

Contests.

Grounds for contest, §34-2001.

COUNTIES.

Board of county commissioners.

Election.

Candidates for county commissioner.
Declaration of candidacy, §34-617.
When county commissioners elected, §34-617.

Elections.

Assessors

Candidates.

Declaration of candidacy, §34-621.

Qualifications, §34-621.

When elected, §34-621.

Board of county commissioners.

Candidates for county commissioner.

Declaration of candidacy, §34-617.

Qualifications for election as county commissioner, §34-617.

When county commissioners elected, §34-617.

Canvass of votes.

County board of canvassers, §34-1205.

Abstracts of returns, §34-1207.

Meetings, §34-1205.

Statement of votes cast, §34-1206.

Certificates of nomination or election,

§§34-1208, 34-1209.

Dates for holding, §34-106.

Emergency elections.

Great public calamity, §34-106.

Number of elections in any county in any calendar year.

Limitation, §34-106.

COUNTIES - Cont'd

Elections - Cont'd

Officers.

When elected candidates to take office,

§34-106.

Political subdivision with more than one county.

Modification of voting procedures,

§34-1413.

Recall elections.

General provisions, §§34-1701 to 34-1715.

See ELECTIONS.

Tie votes, §34-1210.

Officers.

Election.

When elected candidates to take office,

§34-106.

COUNTY ASSESSORS.

Election.

Candidates.

Declaration of candidacy, §34-621.

Qualifications, §34-621.

When elected, §34-621.

Qualifications, §34-621.

COUNTY CLERKS.

Elections.

Appeals from county clerk, §34-215.

Ballots.

Duties as to, §§34-910, 34-911.

Chief county elections officer, §34-305.

Conferences on administration of election

laws, §34-204.

Defined, §34-112.

Judges of election.

Appointment by county clerk, §34-303.

Noncompliance with election laws by

county clerk.

Mandamus to enforce compliance, §34-213.

Reports to prosecuting attorney, §34-212.

Noncompliance with election laws by local county election officials.

Enforcement by county clerk, §34-214.

Office of clerk.

Open as long as polls are open, §34-211.

Political subdivisions.

Contract with county clerk to conduct

election, §34-1401.

County clerk administering election,

§34-1401.

Registration of voters.

Duties as to, §34-1402.

Powers relating to election laws, §§34-209,

34-210, 34-217.

Recount of ballots.

Application remitted to clerk, §34-2302.

COUNTY CLERKS - Cont'd

Elections - Cont'd

Recount of ballots - Cont'd

Order for recount, §34-2304.

Retention of county election records, §34-217. Supervision of administration of election laws.

Duties as to, §§34-206, 34-208.

COUNTY TREASURER.

Age.

Qualifications, §34-620.

Elections.

Candidates.

Declaration of candidacy, §34-620.

Qualifications, §34-620.

When elected, §34-620.

Qualifications, §34-620.

DECLARATORY JUDGEMENTS.

Elections.

Review of initative and referendum measures by attorney general.

Determination of constitutionality, §34-1809.

DEATH.

Elections.

Registration of voters.

Correction of election register from reported deaths, §34-433.

DEFINED TERMS.

Ballot.

Machine voting, §34-2401.

Ballot card.

Machine voting, §34-2401.

Ballot label.

Machine voting, §34-2401.

Candidate.

Elections, §34-113.

Combination election record and poll book.

Elections, §34-111.

Costs.

Elections, §34-2310.

County clerk.

Elections, §34-112.

Election.

Machine voting, §34-2401.

Election official.

Elections, §34-108.

Election register.

Elections, §34-110.

Elector.

District court judges, §34-616 Supreme court justices, §34-615

Electronic poll book.

Elections, §34-111A

DEFINED TERMS - Cont'd

General election.

Elections, §34-101.

Governing body.

Machine voting, §34-2401.

Incumbent.

Elections, §§34-2002, 34-2102.

Judicial.

District court judges, §34-616.

Supreme court justices, §34-615.

Judicial nominating election.

Elections, §34-117.

Jurisdiction.

District court judges, §34-616.

Supreme court justices, §34-615.

Measure.

Machine voting, §34-2401.

Model.

Machine voting, §34-2401.

Political party, §34-501.

Elections, §34-109.

Precinct.

Machine voting, §34-2401.

Presidential primary.

Elections, §34-102.

Primary election.

Elections, §34-102.

Qualified elector.

Elections, §34-104.

Registered elector.

Elections, §34-105.

Residence.

Elections, §34-107.

Special election.

Elections, §34-103.

Tally book.

Elections, §34-114.

Vote tally system.

Machine voting, §34-2401.

Voting machine, §34-2401.

DEPOSITIONS.

Elections.

Contests.

Legislative and state executive offices,

§34-2113.

DISABILITIES, PERSONS WITH.

Elections.

Assistance to voters, §34-1108.

Marking absentee ballots, §34-1003.

Voting machines or vote tally systems.

Instruction and assistance for voters with disabilities, §34-2033.

DISCOVERY.	EDUCATION.
Elections.	Age.
Contests.	Superintendent of public instruction.
Primary elections.	Qualifications, §34-613.
Court may order, §34-2033.	Elections.
	Lists of registered voters.
DISTRICT COURTS.	Furnishing to school districts, §34-437B.
Age.	Superintendent of public instruction,
Judges.	§34-613.
Qualifications for election as district	Recall elections, §§34-1701 to 34-1715.
judge, §34-616.	See ELECTIONS.
Clerks of district court.	School elections.
Election.	Lists of registered voters.
Candidates.	Furnishing to school districts, §34-437B.
Declaration of candidacy, §34-619.	Registration of voters.
Qualifications, §34-619.	Election day registration.
When elected, §34-619.	Applicability to school elections,
Elections.	§34-408A.
Candidates.	Superintendent of public instruction.
Declaration of candidacy, §34-616.	Elections.
Qualifications, §34-616.	Candidates.
Time, §34-616.	Declaration of candidacy, §34-613.
Clerks of district courts.	Qualifications for election, §34-613.
Candidates for district court clerk.	Recall elections.
Declaration of candidacy, §34-619.	General provisions, §§34-1701 to
Qualifications for election as clerk,	34-1715.
§34-619.	See ELECTIONS.
When clerks elected, §34-619.	When elected, §34-613.
Judges.	Qualifications, §34-613.
Age.	
Qualifications, §34-616.	ELECTIONS.
Elections.	Absentee voting, §§34-1001 to 34-1013.
Ballots.	Absent electors' voting place.
Nonpartisan ballots, §34-905.	County clerks to provide, §34-1006.
Candidates.	Affidavit on back of return envelope,
Declaration of candidacy, §34-616.	§34-1004.
Qualifications, §34-616.	Application for absentee ballot, §34-1002.
When elected, §34-616.	Record of applications, §34-1011.
Qualifications, §34-616.	Authorized, §34-1001.
	Ballots.
DISTRICTS.	Affidavit on back of return envelope,
Elections.	§34-1004.
Special districts.	Application for absentee ballot, §34-1002.
Political subdivisions, §§34-1401 to	Record of applications, §34-1011.
34-1411.	Assistance in marking.
See ELECTIONS.	Elector physically unable to mark ballot
Special districts.	§34-1003.
Elections.	Defective ballots.
Political subdivisions, §§34-1401	Rejection, §34-1010.
to 34-1411.	Deposit of absentee ballots, §34-1008.
See ELECTIONS.	Electronic transmission of appliation and
Recall elections.	ballot, §§34-1002, 34-1003.
General provisions, §§34-1701 to	Issuance of absentee ballot, §34-1003.
34-1715.	Marking and folding of absentee ballot,
See ELECTIONS.	§34-1004.
	Opening of return envelopes, §34-1008.

ELECTIONS - Cont'd	ELECTIONS - Cont'd
Absentee voting - Cont'd	Arrest.
Ballots - Cont'd	Electioneering at polls.
Personal delivery by clerk.	Duty of officers, sheriffs, constables, etc., to
Witness to accompany.	make arrest, §18-2318.
Appointment by political party,	Privilege of electors from arrest, §34-401.
§34-1003.	Assistance to voters, §34-1108.
Return of absentee ballot, §34-1005.	Attorney general.
Transmission of absentee ballots to	Candidates for attorney general.
polls, §34-1007.	Declaration of candidacy, §34-612.
Challenging absentee elector's vote, §34-1009.	Initiative and referendum elections.
Defective ballots.	Review of initiative and referendum
Rejection, §34-1010.	measures by attorney general, §34-1809.
Early voting, §§34-1012, 34-1013. Identification to be shown before receiving	Qualifications for election as attorney general, §34-612.
ballot, §§34-1106, 34-1113.	Recall elections.
Affidavit in lieu of identification, §34-1114.	General provisions, §§34-1701 to 34-1715.
Mail ballot precincts, §34-308.	See within this heading, "Recall
Political subdivisions, §34-1408.	elections."
Records.	Recount of ballots.
Applications for absentee ballots,	Impoundment of ballots, §34-2303.
§34-1011.	Order for recount, §34-2304.
Return of absentee ballot, §34-1005.	When attorney general elected, §34-612.
Transmission of absentee ballots to polls,	Ballot boxes.
§34-1007.	County commissioners to provide sufficient
Uniformed and overseas citizens absentee	ballot boxes, §34-902.
voting act.	Duplicate ballot boxes.
Transmission of blank ballots, §34-1003.	Counting ballots, §34-1201.
Voting machines or vote tally systems,	Comparison of poll lists and ballots,
§34-2423.	§34-1202.
Age.	Judges of election.
Qualifications of voters, §34-402.	Opening ballot boxes, §34-1103.
Voters.	Ballots.
Qualifications of voters, §34-402.	Absentee voting.
Appeals.	Affidavit on back of return envelope,
Contests, §34-2025.	§34-1004.
Bonds, surety, §34-2027.	Application for absentee ballot, §34-1002.
Primary elections, §34-2036.	Record of applications, §34-1011.
Legislative and state executive offices.	Assistance in marking.
Primary elections, §§34-2129, 34-2130.	Elector physically unable to mark ballot,
Primary elections, §34-2035.	§34-1003.
Bonds, surety, §34-2036.	Defective ballots.
Legislative and state executive offices,	Rejection, §34-1010.
§§34-2129, 34-2130.	Deposit of absentee ballots, §34-1008.
County clerks.	Electronic transmission of application and
Persons aggrieved by acts or failure to	ballot, §§34-1002, 34-1003.
act by, §34-215. Recount of ballot.	Issuance of absentee ballot, §34-1003. Marking and folding of absentee ballot,
Candidate disagreeing with recount	§34-1004.
results, §34-2308.	Opening of return envelopes, §34-1008.
Secretary of state.	Personal delivery by clerk.
Persons aggrieved by acts or failure to	Witness to accompany.
act by, §34-215.	Appointment by political party,
	§34-1003.
	Return of absentee ballot, §34-1005.
	, 3

ELECTIONS - Cont'd

Ballots - Cont'd

ELECTIONS - Cont'd

Ballots - Cont'd

Absentee Voting - Cont'd Transmission of absentee ballots to	Identification of official election ballots - Cont'd Marking on outside of ballot identification,
polls, §34-1007.	§34-908.
Unifromed and overseas citizens absentee voting act.	Identification to be shown before receiving ballot, §§34-1106, 34-1113.
Transmission of blank ballots, §34-1003.	Affidavit in lieu of identification, §34-1114.
When absentee ballots printed, §34-1003.	Initiative elections.
Assistance in marking.	Title, §34-1809.
Absentee voting.	Printing and designation of ballot titles
Elector physically unable to mark ballot,	on official ballots, §34-1810.
§34-1003.	Mail ballot precincts, §34-308.
Attempt of officer to ascertain vote or open ballot, §18-2308.	Marking of ballot by voter, §34-908. Absentee ballot, §34-1004.
Bond elections.	Instructions.
Void ballots not counted, §34-1202A.	County clerk to prepare, §34-911.
Candidate's name appearing on ballot for more	Nonpartisan ballots.
than one office, §34-903.	District judges, §34-905.
Canvass of votes.	Highway district commissioners, §34-905A.
Counting ballots, §§34-1201, 34-1203.	Justices of supreme court, §34-905.
Comparison of poll lists and ballots,	Official election ballots, §34-901.
§34-1202.	Marking on outside of ballot identification,
Duplicate ballot boxes, §34-1201.	§34-908.
Comparison of poll lists and ballots,	Primary elections.
§34-1202.	Preparation of primary ballots, §34-713.
Void ballots not counted, §34-1203.	Presidential primary.
Bond elections, §34-1202A.	Listing of candidates, §34-732.
Change of candidate's name, §34-903A.	Removal of candidates, §34-733.
Contents.	Sample form, §34-712
General election ballots, §34-906.	Separate ballot for each party, §34-904.
Secretary of state to prescribe, §34-903.	Printing, §34-902.
Contests.	Recall elections.
Inspection, §34-2018.	Form, §34-1708.
Return to county auditor, §34-2019.	Records.
Legislative and state executive offices.	Absentee ballots.
Examination, §34-2114.	Applications for, §34-1011.
Correction of ballots.	Number of ballots printed and furnished,
Vacancy in candidacy occurring after	§34-910.
printing, §34-912.	Recount of ballots, §§34-2301 to 34-2313.
County clerk.	See within this heading, "Recount of
Duties.	Ballots."
Furnishing sufficient ballots to each	Referendum elections.
voting precinct, §34-910.	Title, §34-1809.
Preparation of instructions for guidance	Printing and designation of ballot titles
of voters, §34-911.	on official ballots, §34-1810.
County commissioners to provide sufficient	Secretary of state.
ballots, §34-902.	Form and contents of ballots.
Delivery of ballot to elector, §34-1106.	Secretary of state to prescribe, §34-903.
Early voting ballot security, §34-1013.	Spoiled ballots, §34-1109.
General elections, §34-906.	Tampering with ballots, §18-2316.
Sample ballots.	Bond issues.
Secretary of state to forward to	Ballots.
counties, §34-909.	Void ballots.
Identification of official election ballots,	Not counted at bond elections,
§34-901.	§34-1202A.

ELECTIONS - Cont'd
Candidates - Cont'd
Declaration of candidacy - Cont'd
Filing - Cont'd
Fees - Cont'd
State senators, §34-614.
State treasurer, §34-611.
Superintendent of public instruction §34-613.
Supreme court justices, §34-615.
United States congressional representatives, §34-605.
United States senators, §34-604.
Withdrawal of candidacy, §34-717.
Notification to parties, §34-706.
Time for, §34-704.
With whom filed, §34-705.
Form.
Secretary of state to prescribe, §34-701
Governor, §34-607.
Highway district commissioners in single
county wide districts, §34-625.
Qualifications, §34-625A.
Independent candidates, §34-708.
President and vice-president, §34-708A
Legislature.
Representatives, §§34-614, 34-614A.
Senators, §34-614.
Lieutenant governor, §34-608.
Notification to parties, §34-706.
Party affiliation, §34-704.
Political subdivisions, §34-1404.
Prosecuting attorneys, §34-623.
Secretary of state, §34-609.
Sheriffs, §34-618.
State controller, §34-610.
State treasurer, §34-611.
Superintendent of public instruction,
§34-613.
Supreme court justices, §34-615.
Write-in candidates at primary, §34-702.
Defined, §34-113.
Independent candidates, §34-708.
President and vice president, §34-708A.
Primary elections.
Independent candidates not to be
voted on at §34-703.
Petitions.
Declaration of candidacy.
Filing fee.
Petition in lieu of, §34-626.
Independent candidates.
Petition to accompany, §§34-708,
34-708A.
Political subdivisions.
Declaration of candidacy, §34-1404.

ELECTIONS - Cont'd

ELECTIONS - Cont'd

Candidates - Cont'd Canvass of votes - Cont'd Political subdivisions - Cont'd County board of canvassers - Cont'd Declaration of candidacy - Cont'd Statement of votes cast, §34-1206. Notice of filing deadline, §34-1405. Initiative elections, §34-1813. Qualifications, verification, certification. Judicial elections, §34-1217. Political subdivisions, §34-1410. §34-1404. Withdrawal, §34-1405A. Recall elections, §§34-1710, 34-1711. Write in candidates, §34-1407. Referendum elections, §34-1813. President and vice president. State board of canvassers. Certification of candidates, §34-711. Composition, §34-1211. Independent candidates, §34-708A. Duties, §§34-1212, 34-1213. Presidential electors. Meetings, §34-1211. Certification of candidates for, §34-711. Tie votes. Independent candidates, §34-711A. County elections, §34-1210. Vacancies in slate of political party candidates. State or district elections, §34-1216. Transmission of results to county clerk, Vacancies occurring before or after §34-1203. primary election, §34-715. Transmission of supplies to county clerk, Vacancies occurring prior to primary §34-1204. election, §34-714. Certificates of election. Vacancies of candidates for judicial offices. Political subdivisions, §34-1410. Filling, §34-716. Supreme court justices, §34-1217. Vacancies of candidates for nonpartisan Challenge of voters, §34-1111. offices occurring before general election. Challengers, §34-304. Not filled, §34-716. Judges. Voting machines or vote tally systems. Power to challenge any voter, §34-1104. Rotation of names of candidates, §34-2419. Confidentiality of information. Withdrawal of candidacy. Officers not to divulge information, §34-1110. Partisan offices, §34-717. Registration cards, §34-416. Political subdivisions, §34-1405A. Constables. Write in candidates. Election constable. Declaration of intent, §34-702A. Appointment, §34-1105. Political subdivisions, §34-1407. Duties, §34-1105. Constitutional conventions, §§34-2201 to Primary elections. Requirements, §34-702. 34-2216. See CONSTITUTIONAL CONVENTIONS. Canvass of votes. Constitution of Idaho. Abstracts of returns, §34-1207. Examination by state board of canvassers, Certification of proposed constitution or constitutional amendment to be submitted §§34-1212, 34-1213. Certificates of nomination or election. to people for vote, §34-603. County offices, §§34-1208, 34-1209. Appeals, §34-2025. Federal, state, district or nonpartisan offices, 8834-1214, 34-1215. Bonds, surety, §34-2027. Judicial offices, §34-1217. Primary elections, §34-2036. Counting ballots, §§34-1201, 34-1203. Legislative and state executive offices. Comparison of poll lists and ballots, Primary elections, §§34-2129, 34-2130. §34-1202. Primary elections, §34-2035. Bonds, surety, §34-2036. Duplicate ballot boxes, §34-1201. Comparison of poll lists and ballots, Legislative and state executive offices, §34-1202. §§34-2129, 34-2130. Void ballots not counted, §34-1203. Ballots and poll books. Bond elections, §34-1202A. Inspection, §34-2018. County board of canvassers, §34-1205. Return to county auditor, §34-2019. Abstracts of returns, §34-1207. Legislative and state executive offices. Meetings, §34-1205. Examination, §34-2114.

ELECTIONS - Cont'd	ELECTIONS - Cont'd
Contests - Cont'd	Contests - Cont'd
Bond or mill levy elections.	Judges of election.
Complaint, §34-2001A.	Jurisdiction of contests over judicial offices,
Time for filing, §34-2001A.	§34-2004.
Validation of prior elections, §34-2001A.	Misconduct.
Bonds, surety.	Grounds of contest, §34-2001.
Appeals, §34-2027.	Legislative and state executive offices.
Primary elections, §34-2036.	Grounds for contest, §34-2101.
Primary elections.	When misconduct sufficient to vitiate
Appeals, §34-2036.	election, §34-2103.
Security for costs, §34-2031.	When sufficient to set aside election,
Security for costs, §34-2008.	§34-2003.
Legislative and state executive offices,	Judgments.
§34-2120.	Affirmance, §34-2026.
Primary elections, §34-2031.	Form of judgment, §34-2021.
Complaint, §34-2008.	Jurisdiction.
Amendments, §34-2015.	County and precinct officers, §34-2006.
Bond or mill levy election, §34-2001A.	Judicial offices, §34-2004.
Specific allegations, §34-2009.	Legislative and state executive offices,
Costs.	§§34-2104, 34-2105.
Legislative and state executive offices.	Primary elections, §34-2123.
Appeals, §34-2130.	Primary elections, §34-2029.
Assessment of costs, §34-2120.	Legislative and state executive offices,
Fraud or error by election official,	§34-2123.
§34-2126.	Removal of county seats and special
Primary elections.	questions, §34-2005.
Security for costs, §34-2125.	Legislative and state executive offices.
Liability for costs, §34-2020.	Affidavit.
Primary elections.	Filing, §34-2124.
Appeals.	Appeals, §34-2129.
Bonds, surety, §34-2036.	Bonds, surety, §34-2130.
Fraud or error by election official,	Primary elections, §34-2129.
§34-2032.	Bonds, surety, §34-2130.
Security for costs, §34-2031.	Ballots and poll books.
Legislative and state executive offices,	Examination, §34-2114.
§34-2125.	Bonds, surety.
Security for costs, §34-2008.	Appeals, §34-2130.
Legislative and state executive offices,	Primary elections.
§34-2120.	Appeals, §34-2130.
Primary elections, §34-2031.	Security for costs, §34-2125.
Definitions.	Bonds, surety - Con't
Incumbent, §34-2002.	Security for costs, §34-2120.
Legislative and state executive offices,	Primary elections, §34-2125.
§34-2102.	Calendar.
Depositions.	Priority on court's calendar, §34-2127.
Legislative and state executive offices,	Contest papers delivered to presiding officers, §34-2116.
§34-2113.	
Discovery. Court may order, §34-2033.	Notice of receiving papers, §34-2117. Opening and custody of papers,
Grounds, §34-2001.	§34-2118.
Legislative and state executive offices,	Costs. Appeals, §34-2130.
§34-2101. Holding over in office.	11 . 0
Order for possession, §34-2023.	Assessment of costs, §34-2120.
Order for possession, 934-2023.	Fraud or error by election official,
	§34-2126.

ELECTIONS - Cont'd	ELECTIONS - Cont'd
Contests - Cont'd	Contests - Cont'd
Legislative and state executive offices - Cont'd	Notice - Cont'd.
Costs - Cont'd	Legislative and state executive offices -
Primary elections.	Cont'd
Security for costs, §34-2125.	Contest papers delivered to presiding
Definitions.	officers.
Incumbent, §34-2102.	Notice of receiving papers, §34-2117.
Depositions, §34-2113.	Order for possession, §34-2023.
Discovery.	Postponement of trial, §34-2012.
Court may order, §34-2127.	Primary elections. Affidavit.
Primary elections.	
Court may order, §34-2127.	Filing, §34-2030.
Evidence.	Appeals, §34-2035.
Preservation, §34-2119. Grounds of contest, §34-2101.	Bonds, surety, §34-2036.
Jurisdiction, §§34-2104, 34-2105.	Bonds, surety.
Primary elections, §34-2123.	Appeals, §34-2036.
Misconduct of election judges.	Security for costs, §34-2031.
Grounds of contest, §34-2101.	Costs.
When sufficient to vitiate election,	Appeals.
§34-2103.	Bonds, surety, §34-2036. Fraud or error by election official,
Misdemeanor.	· · · · · · · · · · · · · · · · · · ·
Refusal or neglect to produce papers,	§34-2032.
§34-2111.	Security for costs - §34-2031. Legislative and state executive offices
Notice, §34-2106.	§34-2125.
Contest papers delivered to presiding	Discovery.
officers.	Court may order, §34-2033.
Notice of receiving papers, §34-2117.	Grounds, §34-2028.
Officers. Fees, §34-2115.	Jurisdiction, §34-2029.
Penalties.	Legislative and state executive offices,
Disobedience of subpoena, §34-2110.	§34-2123.
Preservation of evidence, §34-2119.	Legislative and state executive offices,
Primary elections.	§§34-2122 to 34-2123.
Grounds, §34-2122.	See ELECTIONS - Legislative and state
Jurisdiction, §34-2123.	executive offices.
Production of papers, §34-2111.	Remedies, §34-2034.
Refusal or neglect to produce, §34-2111.	Service of process, §34-2016.
Reelection.	Subpoenas.
Form of relief, §34-2121.	Legislative and state executive offices.
Remedies, §34-2128.	Application for, §34-2108.
Form of relief, §34-2121.	Disobedience.
Subpoenas.	Penalty, §34-2110.
Application for, §34-2108.	Issuance, §34-2109.
Disobedience.	Witnesses, §34-2014.
Penalty, §34-2110.	Summons.
Issuance, §34-2109.	Issuance, §34-2010.
Witnesses.	Tie votes.
Deposition, §34-2113.	Determination, §34-2022.
Examination of witnesses, §34-2107.	Trial.
Fees, §34-2112.	Postponement, §34-2012.
Subpoenas, §§34-2108 to 34-2110.	Powers of court, §34-2013.
Notice.	Time for, §34-2011.
Legislative and state executive offices,	Postponement, §34-2012.
§34-2106.	Void elections.
-	When election declared void, §34-2024.

ELECTIONS - Cont'd	ELECTIONS - Cont'd
Contests - Cont'd	County clerks - Cont'd
Who may contest elections, §34-2007.	Political subdivisions.
Witnesses.	Contract with county clerk to conduct
Fees, §34-2016.	election, §34-1401.
Legislative and state executive offices,	Registration of voters.
\$34-2112.	Duties as to, §34-1402.
Legislative and state executive offices.	Powers, §§34-209, 34-217.
Depositions, §34-2113.	Supervision of administration of election laws.
Examination of witnesses, §34-2107	Duties as to, §§34-206, 34-208.
Fees, §34-2112.	County treasurers.
Subpoenas, §§34-2108 to 34-2110.	Candidates.
Power of court to compel attendance,	Declaration of candidacy, §34-620.
§34-2013.	Qualifications, §34-620.
Subpoenas, §34-2014.	When elected, §34-620.
Testimony, §34-2014.	Dates on which elections may be conducted,
Voters to testify as to qualifications,	§34-106.
§34-2017.	Death.
Coroners.	Registration of voters.
Candidates.	Correction of election register from
Declaration of candidacy, §34-622.	reported deaths, §34-433.
Qualifications, §34-622.	Declaratory judgments.
When elected, §34-622.	Review of initiative and referendum measures
Corruption.	by attorney general.
Contests.	Determination of constitutionality, §34-180
Grounds for contest, §34-2001.	Definitions.
Counties.	Candidate, §34-113.
Canvass of votes.	Combination election record and poll book,
County board of canvassers, §§34-1205 to	§34-111.
34-1207.	Contests.
Electronic poll book.	Incumbent, §34-2002.
Authorized, §34-1106A.	Legislative and state executive offices,
Defined, §34-111A.	§34-2102.
Political subdivision with more than one county.	County clerk, §34-112.
Modification of voting procedures,	Election official, §34-108.
§34-1413.	Election register, §34-110.
County clerks.	Electronic poll book, §34-111A.
Appeals from county clerk, §34-215.	General election, §34-101.
Ballots.	Judicial nominating election, §34-117.
Duties as to, §§34-910, 34-911.	Political parties, §§34-109, 34-501.
Chief county elections officer, §34-305.	Presidential primary election, §34-102.
Conferences on administration of election	Primary election, §34-102.
laws, §34-204.	Qualified elector, §34-104.
Defined, §34-112.	Recount of ballots.
Judges of election.	"Costs" defined, §34-2310.
Appointment by county clerk, §34-303.	Registered elector, §34-105.
Noncompliance with election laws by	Residence, §34-107.
county clerk.	Special election, §34-103.
Mandamus to enforce compliance, §34-213.	Tally book or tally list, §34-114.
Reports to prosecuting attorney, §34-212.	Voting machines or vote tally systems,
Noncompliance with election laws by local	§34-2401.
county election officials.	Depositions.
Enforcement by county clerk, §34-214.	Contests.
Office of clerk.	Legislative and state executive offices,
Open as long as polls are open, §34-211.	§34-2113.

ELECTIONS - Cont'd	ELECTIONS - Cont'd
Disabilities, persons with.	Fraud.
Assistance to voters, §34-1108.	Contests.
Marking absentee ballots, §34-1003.	Grounds for contest, §34-2001.
Voting machines or vote tally systems.	Gender.
Instruction and assistance for voters with	References to male include female, §34-115.
disabilities, §34-2427.	General elections.
Discovery.	Ballots, §34-906.
Contests.	Sample ballots.
Primary elections.	Secretary of state to forward to counties,
Court may order, §34-2033.	§34-909.
District courts.	Constitutional amendments.
Clerks of district courts.	Submission to voters, §34-101.
Candidates for district court clerk.	Dates held, §34-601.
Declaration of candidacy, §34-619.	Defined, §34-101.
Qualifications for election as clerk, §34-619.	Notice, §34-602.
When clerks elected, §34-619.	Offices to be filled, §34-101.
Judges of district courts.	Time of elections, §34-601.
Ballots.	Governor.
Nonpartisan ballots, §34-905.	Candidates for office of governor.
Candidates.	Declaration of candidacy, §34-607.
Declaration of candidacy, §34-616.	Qualifications for election as governor, §34-607.
Qualifications, §34-616.	Recall elections.
When elected, §34-616.	General provisions, §§34-1701 to 34-1715.
Education.	See ELECTIONS - Recall elections.
Superintendent of public instruction, §34-613.	When governor elected, §34-607.
Recalls generally, §§34-1701 to 34-1715.	Hearings.
See ELECTIONS - Recall elections.	Registration of voters.
Election day registration, §34-408A.	Refusal of registration, §34-412.
Electronic poll book.	Identification to be shown before receiving
Authorized, §34-1106A.	ballot, §§34-1106, 34-1113.
Defined, §34-111A.	Affidavit in lieu of identification, §34-1114.
Electronic registration, §34-409.	Independent candidates, §34-708.
Felonies.	President and vice-president, §34-708A
Initiative and referendum elections.	Primary elections.
Violations of provisions, §34-1821.	Independent candidates not to be voted on at,
Legislative and state executive offices.	§34-703.
Conviction as grounds for contest, §34-2101.	Initiative elections, §§34-1801 to 34-1823.
Recall elections.	Arguments concerning measures, §34-1812A. Rebuttal arguments, §34-1812B.
Prohibited acts, §34-1714. Forms.	Ballots.
Declaration of candidacy, §34-701.	Title, §34-1809.
Initiative elections.	Printing and designation of ballot titles
Petition, §34-1801A.	on official ballots, §34-1810.
Legislative purpose, §34-1801.	Canvass of votes, §34-1813.
Verification of petition and signature	Injunctions, §34-1808.
sheets, §34-1807.	Manner of voting, §34-1811.
Recall elections.	Petitions.
Ballot, §34-1708.	Binding of petition and signature sheets,
Petition, §34-1703.	§34-1806.
Verification on sheets for signatures,	Form, §34-1801A.
§34-1705.	Legislative purpose, §34-1801.
Referendum elections.	Number of signatures required, §34-1805.
Petitions.	Prohibited acts concerning petitions,
	1 formulaed acts concerning petitions,
Verification of petition and signature	§§34-1814 to 34-1821.

ELECTIONS - Cont'd	ELECTIONS - Cont'd
Initiative elections - Cont'd	Judges of election - Cont'd
Petitions - Cont'd	Oaths.
Refusal to accept petition.	Power to administer, §34-1104.
Mandamus, §34-1808.	Students, appointment, §34-303.
Removal of signatures, §34-1803B.	Judicial nominating elections.
Time requirements, §34-1802.	Defined, §34-117.
Verification of petition and signature	Legislature.
sheets, §34-1807.	Designation of positions, §34-614A.
Who may sign, §34-1814.	House of representatives.
Prohibited acts.	Candidates.
Circulating petition with false, forged or	Declaration of candidacy, §§34-614,
fictitious names, §34-1817.	34-614A.
Failure to disclose material provisions,	Qualifications, §34-614.
§34-1815.	When elected, §34-614.
False affidavit, §34-1818.	Recall elections.
False return, certification or affidavit by	General provisions, §§34-1701 to 34-1715. See ELECTIONS - Recall elections.
public official, §34-1819.	
False statements concerning petition, §34-1815.	Senate. Candidates.
Filing petition with false signatures,	Declaration of candidacy, §34-614.
§34-1816.	Qualifications, §34-614.
Penalty, §34-1822.	When elected, §34-614.
Signing petition more than once or when	Lieutenant governor.
not qualified, §34-1820.	Candidates.
Violations of provisions generally, §34-1821.	Declaration of candidacy, §34-608.
Wrongful signing of petition, §34-1814.	Qualifications for election as lieutenant
Review of measures by attorney general,	governor, §34-608.
§34-1809.	Recall elections.
Voters' pamphlet, §34-1812C.	General provisions, §§34-1701 to 34-1715.
Injunctions.	See ELECTIONS - Recall elections.
Initiative and referendum elections, §34-1808.	When elected, §34-608.
Recall elections, §34-1715.	Mail ballot precincts, §34-308.
Judges.	Mail registration, §34-410.
Canvassing of returns of judicial elections,	Mandamus.
§34-1217.	Enforcement of compliance with election laws
Contests.	by county clerk, §34-213.
Jurisdiction of contests over judicial offices,	Initiative and referendum elections.
§34-2004.	Refusal to accept petition, §34-1808.
Judges of election, §34-303.	Recall elections.
Appointment, §34-303.	Refusal to accept petition, §34-1715.
Ballot boxes.	Military affairs.
Opening ballot boxes, §34-1103.	Registration of voters.
Challenge of voters.	Registration not to be cancelled while
Power to challenge any voters, §34-1104.	elector serving in armed forces, §34-420.
Contests.	Residence, gain or loss of.
Misconduct. Grounds of contest, §34-2001.	Absence from state due to military service, §34-405.
Legislative and state executive offices.	Misdemeanors.
Grounds for contest, §34-2101.	Legislative and state executive offices.
When misconduct sufficient to vitiate	Contest, §§34-2110, 34-2111.
election, §34-2103.	Municipal elections.
When sufficient to set aside election,	Political subdivisions generally, §§34-1401
\$34-2003.	to 34-1411.
Number, §34-303.	See ELECTIONS - Political subdivisions.
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ELECTIONS - Cont'd	ELECTIONS - Cont'd
Nomination.	Petitions - Cont'd
Petitions.	Candidates - Cont'd
Form.	Declaration of candidacy - Cont'd
Secretary of state to prescribe, §34-701.	Independent candidates.
United States senators, §34-604.	Petition to accompany, §§34-708,
Nonpartisan ballots , §§34-905, 34-905A.	34-708A.
Notice.	Initiative elections.
Contests.	Binding of petition and signature sheets,
Legislative and state executive offices,	§34-1806.
§34-2106.	Form, §34-1801A.
Contest papers delivered to presiding	Number of signatures required, §34-1805.
officers.	Prohibited acts concerning petitions,
Notice of receiving papers, §34-2117.	§§34-1814 to 34-1821.
General elections, §34-602.	Penalty, §34-1822.
Political subdivisions, §34-1406.	Refusal to accept petition.
Declarations of candidacy.	Mandamus, §34-1808.
Filing deadline, §34-1405.	Removal of signatures, §34-1803B.
Polling places.	Severability of chapter, §34-1823.
Changing polling place, §34-1102.	Statement of purpose, §34-1801.
Presidential electors.	Time requirements, §34-1802.
Vacancies.	Verification of petition and signature sheets,
Election to fill vacancy, §34-1506.	§34-1807.
Primary elections, §34-602.	Who may sign, §34-1814.
Publication.	Nominating petitions.
Primary, general or special elections,	Form.
§34-602.	Secretary of state to prescribe, §34-701.
Recount of ballot, §34-2304.	United States senators, §34-604.
Special elections, §34-602.	Recall elections.
Voting machines or vote tally systems.	Examination and certification of signatures,
Locations of voting machines and polling	§34-1706.
places, §34-2417.	Form, §34-1703.
Oaths.	Limitations on filing, §34-1713.
County clerks.	Number of signatures required, §34-1702.
Power to administer oaths, §34-209.	Printing, §34-1704.
Judges.	Prohibited acts as to, §34-1714.
Power to administer, §34-1104.	Refusal to accept petition.
Officers.	Mandamus, §34-1715.
Confidentiality of information.	Removal of signatures, §34-1713.
Officers not to divulge information,	Signature sheets.
§34-1110.	Printing, §34-1704.
Definition of "election official," §34-108.	Verification on, §34-1705.
Penalties.	Sufficiency of petition, §34-1707.
Initiative and referendum elections.	Referendum elections.
Petitions.	Binding of petition and signature sheets,
Wrongful signing, §34-1814.	§34-1806.
Initiative and referendum elections - cont'd	Number of signatures required, §34-1805.
Violations of provisions generally,	Printing of petition, §34-1804.
§34-1822.	Prohibited acts concerning petitions,
Petitions.	§§34-1814 to 34-1821.
Candidates.	Penalties, §34-1822.
Declaration of candidacy.	Refusal to accept petition.
Filing fee.	Mandamus, §34-1808.
Petition in lieu of, §34-626.	Removal of signatures, §34-1803B.
	Severability of chapter, §34-1823.

ELECTIONS - Cont'd	ELECTIONS - Cont'd
Petitions - Cont'd	Political Subdivisions - Cont'd
Referendum elections - Cont'd	Conduct of elections, §§34-1403, 34-1409.
Signature sheets.	Contract with county clerk for, §34-1401.
Printing, §34-1804.	County clerks.
Time for filing, §34-1803.	Contract with county clerk to conduct
Verification of petition and signature sheets,	election, §34-1401.
§34-1807.	Registration of voters.
Who may sign, §34-1814.	Duties as to, §34-1402.
Political parties.	Expenses of election.
Changing political parties, §34-627. Conventions, §34-707.	County payment of election expenses, §34-1411.
Delegates to state convention.	Notice, §34-1406.
Selection, §34-507.	Declarations of candidacy.
County central committees, §34-502.	Filing deadline, §34-1405.
Chairman, §34-502.	Polling places, §34-1409.
Vacancy in office.	Qualifications of electors.
Filling, §34-502.	Uniformity, §34-1403.
Composition, §34-502.	Recall elections, §§34-1701 to 34-1715.
Duties, §34-505.	See ELECTIONS - Recall elections.
Officers, §34-502.	Registration of voters, §34-1402.
Powers, §34-505.	Secretary of state.
Creation.	Directives and instructions to election
Procedure, §34-501.	officials, §34-1401.
Declaration of candidacy.	Election calendar.
Notification to parties, §34-706.	Compilation, §34-1405.
Defined, §§34-501	Write in candidates, §34-1407.
Holders of elective office changing parties,	Poll book, electronic.
§34-627.	Authorized, §34-1106A.
Legislative district central committees, §34-503.	Defined, §34-111A.
Composition, §34-503.	Polling places.
Duties, §34-506.	Changing polling places.
Officers, §34-503.	Proclamation and notice, §34-1102.
Powers, §34-506.	Closing of polls, §34-1101.
Precinct committeemen.	Designation of precinct polling places, §34-302.
Candidates for precinct committeemen.	Notice.
Declaration of candidacy, §34-624. Precinct committeemen and voters'	Changing polling place, §34-1102. Opening of polls, §34-1101.
delegate to party's county and district	Political subdivisions, §34-1409.
conventions, §34-624A.	Political subdivisions, §34-1409.
Qualifications, §34-624.	Precincts.
When elected, §34-624.	Designation of precinct polling places,
State central committees.	§34-302.
Composition, §34-504.	Voting machines or vote tally systems.
Political subdivisions.	Closing of polls, §34-2422.
Absentee voting, §34-1408.	Notice of location of polling places,
Administration of elections, §34-1401.	§34-2417.
Candidates.	Preparation of polling place for election,
Declaration of candidacy, §34-1404.	§34-2415.
Notice of filing deadline, §34-1405.	Precincts.
Qualifications, verification, certification,	Boundaries.
§34-1404.	Changes.
Withdrawal, §34-1405A.	Alteration of registration cards, §34-417.
Write in candidates, §34-1407.	Maintenance of boundaries, §34-307.
Canvass of votes, §34-1410.	Requirements, §34-306.
Certificates of election, §34-1410.	Same as legislative districts, §34-301.

ELECTIONS - Cont'd	ELECTIONS - Cont'd
Precincts - Cont'd	Primary Elections - Cont'd
Establishment, §34-301.	Presidential preference primary - Cont'd
Lists of precincts.	Cost of holding, §34-738.
County clerk to furnish to secretary of state,	Definition, §34-102.
§34-301.	Delegates to national convention, §34-736.
Mail ballot precincts, §34-308.	Eligibility to vote, §34-904A.
Maps.	General procedures, §34-731.
County clerks to furnish to secretary of	Removal of candidate from ballot, §34-733
state, §34-301.	Rulemaking, §34-740.
Polling places.	Time for holding, §§34-106, 34-601.
Designation of precinct polling places,	Voting, §34-734.
\$34-302.	Publication.
Presidential electors.	Names of candidates to appear on primary
Candidates.	ballot, §34-713.
	Time of elections, §34-601.
Certification of candidates for, §34-711.	Presidential primary, §§34-106, 34-601.
Independent candidates, §34-711A.	
Certificates of election, §34-1501.	Unaffiliated electors.
Compensation, §34-1507.	Eligibility to vote, §34-904A.
Meeting of electors, §34-1503.	Write in candidates.
Notice.	Requirements, §34-702.
Vacancies.	Prohibited acts.
Election to fill vacancy, §34-1506.	Recall elections, §34-1714.
Qualifications, §34-606.	Proof of identity.
Vacancies, §34-1504.	Identification to be shown before receiving
Filling, §34-1504.	ballot, §§34-1106, 34-1113.
Notification of election to fill vacancy,	Affidavit in lieu of identification, §34-1114
§34-1506.	Prosecuting attorneys.
Tie vote, §34-1505.	Candidates.
When elected, §34-1502.	Declaration of candidacy, §34-623.
Presidential preference primary. See within this	Noncompliance with election laws by county
heading, "Primary elections."	clerk.
Primary elections.	Report to prosecuting attorney, §34-212.
Absentee voting.	Action by prosecuting attorney on,
Application for absentee ballot, §§34-1002,	§34-212.
34-1003.	Qualifications, §34-623.
Ballots, §34-904.	When elected, §34-623.
Preparation of primary ballots, §34-713.	Publication.
Presidential primary.	Notice.
Listing of candidates, §34-732.	Primary, general or special elections,
Removeal of candidate, §34-733.	§34-602.
Sample form, §34-712.	Primary elections.
Contests, §§34-2028 to 34-2036.	Names of candidates to appear on primary
See ELECTIONS - Contests.	ballot, §34-713.
Dates held, §34-601.	Qualifications of electors.
Defined, §34-102.	Age, §34-402.
Eligibility to vote, §34-904A.	Definition of "qualified elector," §34-104.
Unaffiliated electors, §34-904A.	Disqualified electors.
Independent candidates not to be voted on	Not permitted to vote, §34-403.
at primary elections, §34-703.	Handbook of elector's qualifications, §34-1112
Nomination at primary, §34-703.	Political subdivisions.
Notice, §34-602.	Uniformity, §34-1403.
Presidential preference primary.	Residence, §34-402.
Candidates, listing on ballot, §34-732.	Absence from state.
Certification of results, §34-735.	Gain or loss of residence by reason of
Conduct and canvass procedures, §34-737.	absence from state, §34-405.

ELECTIONS - Cont'd	ELECTIONS - Cont'd
Recall elections , §§34-1701 to 34-1715.	Recount of ballots - Cont'd
Canvass of votes, §§34-1710, 34-1711.	County clerks.
Conduct of election, §34-1710.	Order for recount, §34-2304.
Continuation in office, §34-1709.	Definitions.
Felonies.	Costs, §34-2310.
Prohibited acts, §34-1714.	Difference revealed by recount.
General election laws.	Candidate relieved of costs, §34-2306.
Controlling effect, §§34-1710, 34-1712.	Disagreement with recount results, §34-2308
Injunctions, §34-1715.	Free recount, §34-2309.
Mandamus.	General recount.
Refusal to accept petition, §34-1715.	When ordered, §34-2307.
Officers subject to recall, §34-1701.	Impoundment of ballots by attorney general,
Order for election, §34-1707.	§34-2303.
Petitions.	Manner of recounting, §34-2305.
Examination and certification of signatures,	Notice, §34-2304.
§34-1706.	Order for recount, §34-2304.
Form, §34-1703.	General recount.
Limitations on filing, §34-1713.	When ordered, §34-2307.
Number of signatures required, §34-1702.	Procedure, §34-2304.
Printing, §34-1704.	When general recount ordered, §34-2307.
Prohibited acts as to, §34-1714.	Referendum elections.
Refusal to accept petition.	Arguments concerning measures, §34-1812A
Mandamus, §34-1715.	Rebuttal arguments, §34-1812B.
Removal of signatures, §34-1713.	Ballots.
Signature sheets.	Title, §34-1809.
Printing, §34-1704.	Printing and designation of ballot titles
Verification on, §34-1705.	on official ballots, §34-1810.
Sufficiency of petition, §34-1707.	Canvass of votes, §34-1813.
Prohibited acts, §34-1714.	Certification of questions to be submitted to
Resignation.	people for vote, §34-603.
Effect, §34-1707.	Injunctions, §34-1808.
When election held, §34-1707.	Manner of voting, §34-1811.
Records.	Petitions.
Ballots.	Binding of petition and signature sheets,
Absentee ballots.	§34-1806.
Applications for, §34-1011.	Number of signatures required, §34-1805
Number of ballots printed and furnished,	Printing of petition, §34-1804.
§34-910.	Prohibited acts concerning petitions,
Recount of ballots.	§§34-1814 to 34-1821.
Appeals.	Penalties, §34-1822.
Candidate disagreeing with recount results,	Refusal to accept petition.
§34-2308.	Mandamus, §34-1808.
Application for, §34-2301.	Removal of signatures, §34-1803B.
Precincts to be specified, §34-2302.	Signature sheets.
Remittance to accompany, §34-2302.	Printing, §34-1804.
Attorney general.	Time for filing, §34-1803.
Impoundment of ballots, §34-2303.	Verification of petition and signature
Order for recount, §34-2304.	sheets, §34-1807.
Automated tabulation systems.	Who may sign, §34-1814.
Recount procedures, §34-2313.	Prohibited acts.
Costs.	Circulating petition with false, forged or
Candidate relieved of costs where	fictitious names, §34-1817.
difference revealed by recount, §34-2306.	Failure to disclose material provisions,
Defined, §34-2310.	§34-1815.
Payment, §34-2309.	False affidavits, §34-1818.

ELECTIONS - Cont'd

ELECTIONS - Cont'd Referendum elections - Cont'd Secretary of state - Cont'd Prohibited acts - Cont'd Lists of registered electors. False return, certification or affidavit by Statewide list, development and public official, §34-1819. implementation, §34-437A. False statements concerning petition, Political subdivisions. §34-1815. Directives and instructions to elections Filing petition with false signatures, officials, §34-1401. §34-1816. Election calendar. Penalties, §34-1822. Compilation, §34-1405. Signing petition more than once or when not Qualifications for election as secretary of qualified, §34-1820. state, §34-609. Recall elections. Violations generally, §34-1821. Wrongful signing of petition, §34-1814. General provisions, §§34-1701 to 34-1715. See ELECTIONS - Recall elections. Review of measures by attorney general, §34-1809. Voting machines or vote tally systems. Severability of chapter, §34-1823. Examination of machines prior to adoption, Voters' pamphlet, §34-1812C. §34-2409. When held, §34-1803. Rules and regulations, §34-2411. Residence. When secretary of state elected, §34-609. Defined, §34-107. Senate. Qualifications for voting, §34-402. Generally, §34-614. Absence from state. Service of process. Contests, §34-2016. Gain or loss of residence by reason of absence from state, §34-405. Sheriffs. Candidates for election as sheriff. Registration of voters. Change of residence. Declaration of candidacy, §34-618. Reregistration, §34-413. Qualifications for election as sheriff, §34-618. When sheriffs elected, §34-618. Results. Presidential preference primary. Special elections. Certification of results, §34-735. Dates held, §34-601. Rules and regulations. Defined, §34-103. Notice, §34-602. Primary elections. Presidential preference primary, §34-740. Time of elections, §34-601. Voting machines or vote tally systems, State board of canvassers, §§34-1211 to 34-1213. §34-2411. State controller. Secretary of state. Candidates for state controller. Appeals from secretary of state, §34-215. Declaration of candidacy, §34-610. Ballots. Qualifications for election as state controller, Form and contents. §34-610. Secretary of state to prescribe, §34-903. Recall elections. Candidates for office of secretary of state. General provisions, §§34-1701 to 34-1715. Declaration of candidacy, §34-609. See ELECTIONS - Recall elections. Chief election officer, §34-201. When elected, §34-610. Duties relating to election laws, §§34-202, State treasurer. Candidates for state treasurer. 34-205. Assistance and advice to county clerks, Declaration of candidacy, §34-611. §34-203. Qualifications for election as state treasurer, §34-611. Conferences with county clerks on administration of election laws, §34-204. Recall elections. General provisions, §§34-1701 to 34-1715. Grievance procedure. Rules establishing, §34-216. See ELECTIONS - Recall elections. Handbook of elector's qualifications. When state treasurer elected, §34-611.

Duty to prepare, §34-1112.

ELECTIONS - Cont'd	ELECTIONS - Cont'd
Subpoenas.	Voters - Cont'd
Contests.	Arrest.
Legislative and state executive offices.	Privilege of electors from arrest, §34-401.
Application for, §34-2108.	Assistance to voters, §34-1108.
Disobedience.	Manner of voting, §34-1107.
Penalty, §34-2110.	Voting.
Issuance, §34-2109.	Absentee voting, §§34-1001 to 34-1013.
Witnesses, §34-2014.	See ELECTIONS - Absentee voting.
Superintendent of public instruction.	Age.
Candidates.	Qualifications of voters, §34-402.
Declaration of candidacy, §34-613.	Early voting, §§34-1012, 34-1013.
Qualifications, §34-613.	Mail ballot precincts, §34-308.
Recall elections.	Voting machines or vote tally systems,
General provisions, §§34-1701 to 34-1715.	§§34-2401 to 34-2429.
See ELECTIONS - Recall elections.	Absentee voting, §34-2423.
When elected, §34-613.	Authorized, §34-2402.
Supreme court of Idaho.	Automated tabulation systems.
Certificates of election, §34-1217.	Recount procedures for ballots, §34-2313.
Justices.	Ballots, §34-2418.
Ballots.	Defined, §34-2401.
Nonpartisan ballots, §34-905.	Delivery to clerk before polls closed,
Candidates. Declaration of candidacy, §34-615.	§34-2422. Labels, §34-2418.
Certificate of elections, §34-1217.	Arrangements, §34-2416.
Qualifications, §34-615.	Defined, §34-2401.
When justices elected, §34-615.	Paper ballots.
Tie votes.	Absent voting by, §34-2423.
Contests.	Use if voting machine becomes
Determination, §34-2022.	inoperative, §34-2421.
County elections, §34-1210.	Use in conjunction with voting machines,
State or district elections, §34-1216.	§34-2424.
Time of elections.	Providing printed matters and supplies,
Calendar days used in computation of time,	§34-2414.
§34-116.	Sample ballots.
General elections, §34-601.	Preparation and distribution, §34-2425.
Primary elections, §34-601.	Bond issues.
Special elections, §34-601.	Applicability of bond election laws,
When officers elected, §§34-601 to 34-625.	§34-2403.
Unaffiliated electors.	Payment for machines, §34-2407.
Absentee voting, §§34-1002, 34-1003.	Prior approval required for issuance of
Application for registration, §34-411.	bonds, §34-2408.
Mail ballot precincts, §34-308.	Use in bond issue elections.
Primary elections, §§34-411A, 34-904A,	Authorized, §34-2402.
34-1002.	Candidates.
Registration of electors, §34-404.	Rotation of names of candidates, §34-2419.
Universities and colleges.	Closing of polls, §34-2422.
Residence, gain or loss of.	Definitions, §34-2401.
Student's absence from state while attending	Disabilities, voters with.
an institution of learning, §34-405.	Instruction and assistance, §34-2427.
Voters.	Examination of machines by secretary of
Absentee voting, §§34-1001 to 34-1013.	state prior to adoption, §34-2409. Exhibition of voting machines for instruction of
See ELECTION - Absentee voting.	e e e e e e e e e e e e e e e e e e e
Age. Qualifications of voters, §34-402.	voters, §34-2426.
Qualifications of voicts, 834-402.	

FELONIES. ELECTIONS - Cont'd Voting machines or vote tally systems - Cont'd Elections. Inoperative voting machines. Bond issues. Procedure if machine becomes inoperative, Conviction as grounds for contest, §34-2001. Identification to be shown before receiving §34-2421. Notice. Locations of voting machines and polling Affidavit in lieu of identification, false or places, §34-2417. erroneous information, §34-1114. Other election laws. Initiative and referendum elections. Applicability, §34-2403. Violations of provisions, §34-1821. Physically disabled voters. Legislative and state executive offices. Instruction and assistance, §34-2427. Conviction as grounds for contest, §34-2101. Polling places. Privilege of electors from arrest, §34-401. Recall elections. Closing of polls, §34-2422. Prohibited acts, §34-1714. Notice of location of polling places, §34-2417. Preparation of polling place for election, FINES AND OTHER PENALTIES. §34-2415. Elections. Precinct election boards, §34-2411. Initiative and referendum elections. Clerks. Petitions. Wrongful signing, §34-1814. Duties, §34-2411. Number, §34-2412. Violations of provisions generally, §34-1822. Composition, §34-2412. FORMS. Examinations of face of machine during election, §34-2420. Constitutional conventions. Election of delegates. Instruction of boards in use of machines, §34-2413. Ballots, §34-2206. Preparation of machines for use, §34-2413. Declarations of candidates, §34-2205. Procedure, §34-2416. Elections. Prohibited acts as to, §34-2404. Initiative elections. Purchase and use. Petitions, §34-1801. Authorization, §34-2405. Verification of petition and signature Joint purchase and use, §34-2406. sheets, §34-1807. Payment, §34-2407. Recall elections. Requirements, §34-2410. Ballot, §34-1708. Rules and regulations. Petitions, §34-1703. Secretary of state, §34-2411. Verification on sheets for signatures, §34-1705. Sample ballots. Preparation and distribution, §34-2425. Referendum elections. Saving clause. Petitions. Validation of previous elections, §34-2429. Verification of petition and signature Secretary of state. sheets, §34-1807. Examination of machines prior to adoption, FRAUD. \$34-2409. Rules and regulations, §34-2411. Elections. Specifications, §34-2410. Contests. Tampering with machines. Grounds for contest, §34-2001. Prohibited, §34-2404. Validation of elections, §34-2429. GENDER. Voting procedures modification, §34-1413. Elections. Watchers, §34-304. References to male include female, §34-115.

GOVERNOR.

Age.

Qualifications, §34-607.

Write in candidates, §§34-702, 34-702A. Political subdivisions, §34-1407.

GOVERNOR - Cont'd

Elections.

Candidates for office of governor.

Declaration of candidacy, §34-607.

Qualifications, §34-607.

Recall elections.

General provisions, §§34-1701 to 34-1715.

See ELECTIONS - Recall elections.

When governor elected, §34-607.

Qualifications for holding office, §34-607.

HEARINGS.

Elections.

Registration of voters.

Refusal of registration, §34-412.

HIGHWAY DISTRICTS.

Commissioners.

Election.

Ballots.

Nonpartisan ballots, §34-905A.

Elections.

Administration, §34-1401.

Commissioners.

Ballots.

Nonpartisan ballots, §34-905A.

One nomination, §34-905A.

Single county wide highway districts.

Highway commissioners.

Elections.

Candidates, declaration of candidacy, §34-625.

Qualifications, §§34-625, 34-625A.

When elected, §34-625.

INITIATIVE ELECTIONS, §§34-1801 to

34-1823.

INJUNCTIONS.

Elections.

Initiative and referendum elections, §34-1808. Recall elections, §34-1715.

LEGISLATURE.

Elections.

Designation of positions, §34-614A.

House of representatives.

Candidates.

Declaration of candidacy, §§34-614,

34-614A.

Qualifications, §34-614.

When elected, §34-614.

Recall elections.

General provisions, §§34-1701 to 34-1715. See ELECTIONS - Recall elections.

Legislature - Cont'd

Elections.

Senate.

Candidates.

Declaration of candidacy, §34-614.

Qualifications, §34-614.

When elected, §34-614.

House of representatives.

Qualifications of representatives, §34-614.

Senate.

Qualifications of senators, §34-614.

LIEUTENANT GOVERNOR.

Age.

Qualifications, §34-608.

Elections.

Candidates.

Declaration of candidacy, §34-608.

Qualifications for election as lieutenant

governor, §34-608.

Recall elections.

General provisions, §§34-1701 to 34-1715.

See ELECTIONS - Recall elections.

When elected, §34-608.

Qualifications, §34-608.

MAIL.

Elections.

Mail registration, §34-410.

MANDAMUS.

Elections.

Enforcement of compliance with election laws

by county clerk, §34-213. Initiative and referendum elections.

Refusal to accept petition, §34-1808.

Page 11 alastians

Recall elections.

Refusal to accept petition, §34-1715.

MILITARY AFFAIRS.

Elections.

Registration of voters.

Registration not to be cancelled while

elector serving in armed forces, §34-420.

Residence, gain or loss of.

Absence from state due to military service, §34-405.

MISDEMEANORS.

Elections.

Legislative and state executive offices.

Disobedience of subpoena, §34-2110.

Refusal or neglect to produce papers,

§34-2111.

MUNICIPAL CORPORATIONS.

Elections.

Political subdivisions generally, §§34-1401 to 34-1411.

See ELECTIONS - Political subdivisions. Recall elections.

General provisions, §§34-1701 to 34-1715. See ELECTIONS - Recall elections.

Registration of electors. Election day registration.

Applicability to municipal elections, §34-408A.

PARTIES.

Elections.

Political parties, §§34-501 to 34-507. See ELECTIONS - Political parties.

POLITICAL PARTIES.

Organization of political parties, §§34-501 to 34-507.

See ELECTIONS - Political parties.

PRECINCTS.

Election precincts, §§34-301 to 34-308. See ELECTIONS - Precincts.

PROSECUTING ATTORNEYS.

Age.

Qualifications, §34-623.

Elections.

Candidates.

Declaration of candidacy, §34-623.

Noncompliance with election laws by county

Report to prosecuting attorney, §34-212. Action by prosecuting attorney on, §34-212.

Qualifications, §34-623.

When elected, §34-623.

PUBLICATION.

Election.

Notice

Political subdivisions, §34-1406.

Primary, general or special elections, §34-602.

Primary elections.

Names of candidates to appear on primary ballot, §34-713.

RECALL ELECTIONS.

General provisions, §§34-1701 to 34-1715. See ELECTIONS - Recall elections.

RECORDS.

County Clerks.

Elections.

Retention of county election records, §34-217.

Elections.

Ballots.

Absentee ballots.

Applications for, §34-1011.

Number of ballots printed and furnished, §34-910.

Retention, §34-217.

RECOUNT OF BALLOTS, §§34-2301 to

34-2313.

RULES AND REGULATIONS.

Elections.

Primary elections.

Presidential preference primary, §34-740. Voting machines or vote tally systems, §34-2411.

SECRETARY OF STATE.

Age.

Qualifications, §34-609.

Elections.

Appeals from secretary of state, §34-215. Ballots.

Form and contents.

Secretary of state to prescribe, §34-903.

Candidates for office of secretary of state.

Declaration of candidacy, §34-609.

Chief election officer, §34-201.

Duties relating to election laws, §§34-202, 34-205.

Assistance and advice to county clerks, §34-203.

Conferences with county clerks on administration of election laws, §34-204.

Grievance procedure.

Rules establishing, §34-216.

Handbook of elector's qualifications.

Duty to prepare, §34-1112.

Lists of registered electors.

Statewide list, development and implementation, §34-437A.

Political subdivisions.

Directives and instructions to elections officials, §34-1401.

Election calendar.

Compilation, §34-1405.

Presidential preference primary.

Rulemaking, §34-740.

SUBPOENAS. SECRETARY OF STATE - Cont'd Elections - Cont'd Elections. Qualifications for election as secretary of state, Contests. §34-609. Witnesses, §34-2014. Recall elections. General provisions, §§34-1701 to 34-1715. SUPREME COURT OF IDAHO. See ELECTIONS - Recall elections. Age. Voting machines or vote tally systems. Justices. Examination of machines prior to adoption, Qualifications, §34-615. §34-2409. Elections. Rules and regulations, §34-2411. Certificates of election, §34-1217. When secretary of state elected, §34-609. Justices. Qualifications for holding office, §34-609. Ballots. Nonpartisan ballots, §34-905. SERVICE OF PROCESS. Candidates. Elections. Declaration of candidacy, §34-615. Contests, §34-2016. Certificate of elections, §34-1217. Qualifications, §34-615. SHERIFFS. When justices elected, §34-615. Elections. Justices. Candidates for election as sheriff. Age. Declaration of candidacy, §34-618. Qualifications for election as justice, Qualifications for election as sheriff, §34-618. §34-615. When sheriffs elected, §34-618. Election. Ballots. STATE CONTROLLER. Nonpartisan ballots, §34-905. Candidates. Age. Qualifications, §34-610. Declaration of candidacy, §34-615. Elections. Qualifications, §34-615. Candidates for state controller. When elected, §34-615. Declaration of candidacy, §34-610. Qualifications, §34-615. Qualifications for election as state controller, TAXING DISTRICTS. §34-610. Recall elections. Elections. General provisions, §§34-1701 to 34-1715. Disclosures in elections to authorize levy, See ELECTIONS. §34-439A. Governing board member elected for term When elected, §34-610. Qualifications for holding office, §34-610. beyond next election date, §34-1412. STATE TREASURER. TAXING DISTRICTS. Term of office of governing board member, Age. Qualifications, §34-611. §34-1412. Elections. TREASON. Candidates for state treasurer. Declaration of candidacy, §34-611. Elections. Privilege of electors from arrest, §34-401. Qualifications for election as state treasurer, §34-611. UNIVERSITIES AND COLLEGES. Recall elections. General provisions, §§34-1701 to 34-1715. Elections. See ELECTIONS - Recall elections. Residence, gain or loss of.

When state treasurer elected, §34-611. **Qualifications for holding office,** §34-611.

Student's absence from state while at an

institution of learning, §34-405.

VOTER REGISTRATION.

Absentee registration.

Elector absent from home precinct, §34-410. Overseas citizens.

Uniformed and overseas citizens, §34-410A. Uniformed and overseas citizens, §34-410A.

Applications for registration, §34-416.

Changes in boundaries of precinct.

Alteration of registration application, §34-417.

Contents, §34-411.

Party affiliation, changing §34-411A.

Procedure upon, §34-407.

Weekly review of new registrations, §34-418.

Armed forces.

Registration not to be cancelled while elector serving in armed forces, §34-420.

Cancellation of registration.

Armed forces.

Registration not to be cancelled while elector serving in armed forces, §34-420.

Challenges of entries in election register,

§34-431.

Correction of election register from challenges, §34-432.

Change of residence.

Reregistration, §34-413.

Combination election record and poll book,

§34-111.

Defined, §34-111.

Signing by elector, §34-1106.

Transmission to county clerk after count of votes, §34-1204.

Confidentiality.

Registration cards, §34-416.

Correction of election register.

Challenges at election, §34-432.

Deaths.

Reported deaths, §34-433.

Retention of notices and correspondence relating to, §34-434.

Death.

Correction of election register from reported deaths, §34-433.

Definition of "registered elector," §34-105.

Election day registration, §34-408A.

Election register.

Defined, §34-110.

Electors not voting for four years, §34-435.

Electronic poll book.

Authorized, §34-1106A.

Defined, §34-111A.

Hearings.

Refusal of registration, §34-412.

VOTER REGISTRATION - Cont'd

Lists of registered voters.

Restrictions on furnishing, §34-437.

School districts.

Furnishing to, §34-437B.

Statewide list, §34-437A.

Mail registration, §34-410.

Military affairs.

Cancellation of registration while elector serving in armed forces prohibited, §34-420.

Municipal elections.

Election day registration.

Applicability to municipal elections,

§34-408A.

Online registration, §34-409.

Overseas citizens.

Uniformed and overseas citizens, §34-410A.

Political subdivisions, §34-1402.

Procedure, §34-407.

Qualifications for registration.

Determination, §34-412.

Records exempt from public disclosure,

§74-106.

Refusal of registration, §34-412.

Hearing, §34-412.

Registrars, §34-406.

Appointment, §34-406.

Duties, §34-406.

Registration applications, §34-416.

Changes in boundaries of precinct.

Alteration of registration cards, §34-417.

Weekly review of new registration cards, §34-418.

Required, §34-404.

Reregistration.

Change of residence, §34-413.

Residence.

Change of residence.

Reregistration, §34-413.

Gain or loss of residence due to absence from state.

Intent to maintain residence.

Reregistration in other states during absence, §34-405.

Retention of correspondence relating to

cancellation of voter's registration, §34-436.

School districts.

Lists of registered electorates.

Furnishing, §34-437B.

Suspension of registration.

Electors who appear not to be citizens of United States, §34-419.

Time limit.

Closing of register, §34-408.

Uniformed and overseas citizens, §34-410A.

VOTING.

Absentee voting, §§34-1001 to 34-1013. See ELECTIONS - Absentee voting. Identification Required. At the polls, §34-1113. Affidavit in lieu of, §34-1114.

VOTING MACHINES OR VOTE TALLY SYSTEMS.

General provisions, §§34-2401 to 34-2429. See ELECTIONS - Voting machines or vote tally systems.

IDAHO PRESIDENTIAL ELECTORS

TITLE 34 ELECTIONS CH 15 PRESIDENTIAL ELECTORS.

PRESIDENTIAL ELECTORS ARE OFFICE HOLDERS: 34-1502. ELECTION FOR PRESIDENTIAL ELECTORS. There shall be an election held in this state for the election of such electors, at the times appointed by any law of the Congress or the Constitution of the United States for such election, and when such election shall be special, the same shall be called and held, and the votes polled and canvassed, in all respects as at a general election, and the duties of the electors so elected shall be the same as prescribed by law for electors elected at a general election.

INCORPORATES FED LAW: IDAHO STATUTES 34-1503. MEETING OF ELECTORS. The electors chosen to elect a president and vice-president of the United States shall, at twelve (12) o'clock noon on the day which is or may be directed by the Congress of the United States, meet at the seat of government of this state, and then and there perform the duties enjoined upon them by the Constitution and laws of the United States.

34-606. Election of presidential electors. (1) At the general election, 1972, and every four (4) years thereafter, there shall be elected such a number of electors of president and vice president of the United States as the state may be entitled to in the electoral college.

- (2) No person shall be elected to this position unless he has attained the age of twenty-one (21) years at the time of the election, is a citizen of the United States and shall have resided within the state two (2) years next preceding his election.
- (3) Such electors shall be certified to the secretary of state as provided for by law.

34-707 party convention law not relevant

59-102

THIS IS THE CLOSEST THING TO A DUAL OFFICE PROHIBITION. THERE ISN'T ONE IN IDAHO

Idaho Statutes 59-102. LEGISLATORS DISQUALIFIED FROM HOLDING CERTAIN OFFICES. It shall be unlawful for any member of the legislature, during the term for which he was elected, to accept or

receive, or for the governor, or other officials or board, to appoint such member of the legislature to, any office of trust, profit, honor or emolument, created by any law passed by the legislature of which he is a member. Any appointment made in violation of this section shall be null and void and without force and effect, and any attempt to exercise the powers of such office by such appointee shall be a usurpation, and the appointee shall be deemed guilty of a misdemeanor, and, on conviction, shall be fined not less than five hundred dollars nor more than five thousand dollars.

Office of the Attorney General

Idaho Ethics In Government Manual



JULY 2015

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State of Idaho Office of Attorney General Lawrence Wasden

INTRODUCTION

Honest and open government is fundamental to a free society. The Idaho Legislature has formalized our state's commitment to honest and ethical government by enacting several statutes governing the ethical behavior of public officers. These laws are intended to ensure that public officials remain public servants.

Idaho has three primary statutes governing ethics in government: the Bribery and Corrupt Influence Act; the Prohibition Against Contracts with Officers Act; and the Ethics in Government Act. In addition, statutes that govern a particular state agency, state subdivision or municipal corporation often contain provisions regulating the ethical behavior of public officials.

Any complete analysis of an ethical question involving a public official must include the three acts named above as well as statutes dealing specifically with the governmental agency, office or subdivision involved. Specific statutes relating to the particular agency or subdivision will control over the more general statutes. When two or more general statutes apply to the same subject, an attempt should be made to reconcile the statutes

All of us who accept public office, whether elected or appointed, also accept an ethical duty to serve honestly and in the public's interest. While the state and the people must demand compliance with Idaho's ethics laws, public officials should understand that these laws set a minimum standard of behavior. Crossing these lines can result in fines and incarceration. Responsible and ethical public officials hold themselves to an even higher standard than mere compliance.

My Office has prepared this legal manual for your information. I hope it assists you when presented with applicable situations.

Sincerely,

LAWRENCE G. WASDEN Attorney General

TABLE OF CONTENTS

QUESTIONS AND ANSWERS	I
STATUTORY INTERPRETATION	1
PURPOSE OF ANALYSIS OF ETHICS STATUTES	
PUBLIC EMPLOYEES OR OFFICIALS COVERED BY ETHICS	
Statutes	2
NEPOTISM	
CONFLICTS OF INTEREST/PROHIBITED CONTRACTS	4
BRIBERY/CORRUPT INFLUENCE & GIFTS TO PUBLIC OFFICIALS	
INCOMPATIBILITY OF OFFICE	11
CONSANGUINITY CHART	14
RELEVANT STATUTES	15
BRIBERY AND CORRUPT INFLUENCE ACT	15
ETHICS IN GOVERNMENT ACT	
PROHIBITIONS AGAINST CONTRACTS WITH OFFICERS	30
MISCELLANEOUS STATUTES	33
INDEX OF ADDITIONAL CONFLICTS OF INTEREST	
STATUTES	36

QUESTIONS AND ANSWERS

STATUTORY INTERPRETATION

Question No. 1: Is there overlap between the various ethical statutes pertaining to public employees and officials, and how should the statutes be analyzed?

Answer: Yes. The first step in analyzing which statute applies to a particular situation is to determine whether there is a specific statute dealing with the governmental entity or the public position in question. For example, Idaho Code § 33-507 contains a prohibition against school board trustees contracting with the school district. This statute controls the more general anti-contracting provisions found in chapter 13, title 18, or chapter 5, title 74, Idaho Code. See, Attorney General Opinion No. 93-10. In addition, when dealing with the more general ethics statutes, there may be some overlap. In the case where two or more general statutes apply to the same situation, an attempt should be made to reconcile the statutes.

Too often, conflict analysis begins and ends with an analysis of chapter 4 of title 74, the Ethics in Government Act. Chapter 4 covers acts by members of legislative or administrative bodies and does not necessarily prohibit any act, but merely requires disclosure. However, the action creating the conflict may be prohibited by other provisions contained within the Idaho Code.

PURPOSE OF ANALYSIS OF ETHICS STATUTES

Question No. 2: What is the purpose of the analysis of the ethical statutes with regard to the actions of public officials?

Answer: The purpose of the ethical statutes is to establish a ground floor for conduct by public officials. Proper analysis of ethical statutes should not be for "loopholes" or "technicalities" by which one can take advantage of government, the public, or other interested parties. If your analysis requires that you find a "loophole," within Idaho's ethical statutes, then your conduct is likely unethical. Ethics for public officials is also tricky for another reason. Within public service, there are often two courts: the traditional legal system, and the court of public opinion. A win in one does not guarantee a win in the other. When determining the proper answer to any ethics determination, a public official should be mindful of the impact his decision may have both

legally and publicly. Public officials, by the trusteeship given them by the electorate, are held to a higher ethical standard.

PUBLIC EMPLOYEES OR OFFICIALS COVERED BY ETHICS STATUTES

Question No. 3: Who is subject to Idaho Code §§ 18-1351 et seq., the Bribery and Corrupt Influence statutes?

Answer: Idaho Code §§ 18-1351, et seq., regulate the conduct of public servants in the areas of bribery and corrupt practices, including conflicts of interest and nepotism. Unless otherwise stated, these statutes apply to all "public servants," which is defined to mean: "any officer or employee of government, including legislators and judges, and any person participating as juror, advisor, consultant or otherwise, in performing a governmental function; but the term does not include witnesses."

Question No. 4: Who is subject to chapter 4 of title 74, the Ethics in Government Act?

Answer: All "public officials" are subject to the Ethics in Government Act. "Public official" means any person holding public office in the following capacity:

- (a) As an elected public official meaning any person holding public office of a governmental entity by virtue of an elected process, including persons appointed to a vacant elected office of a governmental entity, excluding members of the judiciary; or
- (b) As an elected legislative public official meaning any person holding public office as a legislator; or
- (c) As an appointed public official meaning any person holding public office of a governmental entity by virtue of formal appointment as required by law; or
- (d) As an employed public official meaning any person holding public office of a governmental entity by virtue of employment, or a person employed by a governmental entity on a consultative basis

Question No. 5: Who is subject to the prohibition against contracts with officers contained in chapter 5, title 74, Idaho Code?

Answer: All members of the legislature and state, county, city, district and precinct officers are subject to the prohibitions contained in chapter 5, title 74, Idaho Code. While "officer" is not defined, the definition of "public official" contained in the Ethics in Government Act should be considered as a guide to those covered by the prohibitions in chapter 5, title 74, Idaho Code.

NEPOTISM

Question No. 6: Is the current employment of a public employee jeopardized by the subsequent election of a relative to a public office that has supervisory authority over that employee?

Answer: Idaho Code § 18-1359 sets forth the nepotism policy of the state of Idaho. The Attorney General's Office has taken the position that existing public employment will not be jeopardized by the subsequent election of a relative of that employee to public office.

Question No. 7: How does the subsequent election of a relative affect promotion/advancement potential of a current employee?

Answer: Under Idaho Code § 18-1359(5), the employee may continue to work in the current job assignment and remain eligible to receive non-meritorious pay increases. Idaho Code § 18-1359(e) prohibits the public official from appointing or voting for the appointment of the relative to any position, employment or duty. Similarly, more specific sections relating to the mayor, city council, county commissioners and state legislators may prohibit any person, not just the related elected official, from appointing the current employee to any office, position, employment or duty.

Question No. 8: When a county employee's spouse is elected to the county commission, is the employee's position jeopardized?

Answer: As stated above, Idaho Code § 18-1359 states that existing public employment should not be jeopardized by the subsequent election of a relative to public office. The 2002 enactment of Idaho Code § 18-1359(5) is intended to permit the spouse of an elected official to continue in his/her present employment. However, Idaho Code § 74-501 may cast some doubt on whether Idaho Code § 18-1359(5) fully permits continued employment. Due to the enactment of Idaho Code § 18-1359(5) and the Statement of Purpose accompanying the bill, it appears that a court would likely permit the continued employment of a spouse of a subsequently elected official.

Idaho Code § 33-507 may prohibit the continued employment by a school district of an employee whose spouse is elected to the district's board of trustees where the contract must be renewed annually. Idaho Code § 33-2106 incorporates Idaho Code § 33-507 applying the prohibition to trustees of junior college districts.

Question No. 9: May a county enter into a contract for goods or services with the son/daughter-in-law of one of the commissioners?

Answer: Idaho Code §§ 18-1359(1)(F) and 67-5726 applies in this situation. The code section provides:

No person related to a county commissioner by blood or marriage within the second degree shall be appointed to any clerkship, office, position, employment or duty with the commissioner's county when the salary, wages, pay or compensation of such appointee or employee is to be paid out of public funds.

The commissioner's son/daughter-in-law is clearly related by marriage within the second degree, and will be compensated for the performance of his/her duties. The county would be prohibited from hiring the commissioner's son/daughter-in-law.

CONFLICTS OF INTEREST/PROHIBITED CONTRACTS

Question No. 10: What action is required under chapter 4 of title 74, Idaho Code, the Ethics in Government Act, if a conflict of interest exists?

Answer: The Ethics in Government Act requires certain action when a conflict of interest exists. A conflict of interest is generally defined as any "official action or any decision or recommendation by a person acting in a capacity as a public official, the effect of which would be to the private pecuniary benefit of the person or a member of the person's household, or a business with which the person or a member of the person's household is associated."

When a conflict of interest exists, the public official must disclose the conflict. Under the Ethics in Government Act, disclosure does not affect an elected public official's authority to be counted for the purpose of determining a quorum and to debate and to vote on the matter.

The public official may seek legal advice on whether a conflict of interest exists. If the legal advice is that a real or potential conflict may exist, generally, the public official must prepare a written statement describing the matter required to be acted upon and the nature of the potential conflict, and shall file such statement with the entity set forth in the statute pertaining to the appropriate elected or appointed office.

Disclosure of the conflict or consultation with counsel satisfies the requirements of the Ethics in Government Act. It does not, however, permit the public official to engage in acts prohibited by other provisions of the Idaho Code.

Question No. 11: Are there exceptions to the definition of conflict of interest in chapter 4 of title 74, Idaho Code, the Ethics in Government Act?

Answer: Yes. Under the Act, there is no conflict of interest if the pecuniary benefit received arises out of:

- (a) An interest or membership in a particular business, industry, occupation or class required by law as a prerequisite to the holding by the person of the office or position;
- (b) Any action in the person's official capacity which would affect to the same degree a class consisting of an industry or occupation group in which the person, or a member of the person's household or business with which the person is associated, is a member or is engaged;
- (c) Any interest which the person has by virtue of his profession, trade or occupation where his interest would be affected to the same degree as that of a substantial group or class of others similarly engaged in the profession, trade or occupation;
- (d) Any action by a public official upon any revenue measure, any appropriation measure or any measure imposing a tax, when similarly situated members of the general public are affected by the outcome of the action in a substantially similar manner and degree.

Question No. 12: What is the effect on a contract entered into in violation of the conflict of interest provisions of Idaho law?

Answer: The answer depends upon the specific statute and how the courts may have interpreted that statute. Violations of Idaho Code § 74-501 are voidable by any party, except the interested official, but not void from the beginning. Idaho Code § 74-504.

However, violations of other ethics statutes may cause the contract to be void. For instance, in Independent School Dist. No. 5 v. Collins, 15 Idaho 535, 98 P. 857 (1908), the court addressed violations of Idaho Code § 33-507, stating:

[S]uch contracts are absolutely void. If money is illegally paid on such void contract, the district may recover it back, and in case the district refuses to do so, any taxpayer of the district may, for and on behalf of the district, maintain an action for the recovery of the money so illegally paid. 15 Idaho at 541.

In any contract or transaction entered into which is ruled void, the public official would be required to refund any money he/she receives pursuant to a contract or transaction with the board. Such a challenge could be initiated by the board or by a taxpayer within the respective governmental entity.

Question No. 13: May the employer of a city council member contract with the city?

Answer: The answer is "yes," under certain circumstances, such as when an interest is defined to be remote under Idaho Code § 74-502 and, therefore, not a conflict of interest. "Remote interest" means:

- (a) That of a non-salaried officer of a nonprofit corporation; or
- (b) That of an employee or agent of a contracting party where the compensation of such employee or agent consists entirely of fixed wages or salary; or
- (c) That of a landlord or tenant of a contracting party; or
- (d) That of a holder of less than one percent (1%) of the shares of a corporation or cooperative that is a contracting party.

However, even if the interest is remote, the public official must disclose the remote interest prior to the formation of the contract, and the governing body must approve the contract on a vote sufficient for that purpose without counting the vote of the officer having the remote interest. Furthermore, the public official cannot attempt to influence another officer of the board of which he is an officer to enter into the contract.

Question No. 14: Are there any circumstances where a public official can personally contract with a board of which he or she is a member?

Answer: In rare circumstances a public official can contract directly with the board of which he/she is a member whether or not he or she is an elected or appointed public official. Under Idaho Code § 18-1361, a public official or his/her relatives can contract with the board if:

- (1) The contract is competitively bid and the public servant or his/her relative submits the low bid; and
- (2) Neither the public servant nor his/her relative takes any part in the preparation of the contract or bid specifications, and the public servant takes no part in voting on or approving the contract or bid specifications; and
- (3) The public servant makes full disclosure, in writing, to all members of the governing body, council or board of said public body of his/her interest or that of his/her relative and of his or his relative's intention to bid on the contract; and
- (4) Neither the public servant nor his/her relative has violated any provision of Idaho law pertaining to competitive bidding or improper solicitation of business

Question No. 15: May a school district conduct business with a business establishment whose owner is a spouse of a school board trustee?

Answer: Idaho has a long-standing tradition of forbidding school board trustees from doing any business with or receiving any pecuniary benefit from the district they serve. Idaho Code § 33-507 states in relevant part:

It shall be unlawful for any trustee to have pecuniary interest, directly or indirectly, in any contract or other transaction pertaining to the maintenance or conduct of the school district, or to accept any reward or compensation for services rendered as a trustee except as may be otherwise provided in this section.

Purchases by the district of material from an establishment owned by the spouse of a school board trustee provide a direct or indirect pecuniary benefit to the member of the school board. The school board trustee would certainly benefit from any transactions between the district and the business establishment. Even if there is not a written contract between the business establishment and the district, it does not take the situation outside the reach of Idaho Code § 33-507. There would still be a contractual relationship between the business and the district. Moreover, the contract would be void.

Idaho Code § 33-2106 incorporates Idaho Code § 33-507 and makes the limitations on the authority of school district trustees applicable to trustees of junior college districts.

Question No. 16: May a county employee purchase property that the county has for sale?

Answer: There is no express prohibition against a county employee purchasing county property, unless that individual is a county commissioner or other officer. See Idaho Code §§ 31-807A and 74-503. This rule applies to county employees generally. Sheriffs' deputies selling property at sheriffs' sales are prohibited from participating in the sale.

BRIBERY/CORRUPT INFLUENCE & GIFTS TO PUBLIC OFFICIALS

Question No. 17: Would a regional tour sponsored by a chamber of commerce to acquaint legislators with a region of the state, provided without charge to every member of the Idaho Legislature, violate the Bribery and Corrupt Influence Act?

Answer: Idaho Code § 18-1356 regulates gifts to public servants. Subsection (4) relates to legislative and executive officials:

No legislator or public servant shall solicit, accept or agree to accept any pecuniary benefit in return for

action on a bill, legislation, proceeding or official transaction from any person known to be interested in a bill, legislation, official transaction or proceeding.

There have been no allegations, nor has it ever been suggested, that the efforts of the members of the chamber of commerce are made in return for legislative action on their behalf. Therefore, the tour in general does not violate Idaho Code § 18-1356(4).

Consideration must also be given to Idaho Code § 18-1359(1)(a), which provides:

No public servant shall:

(a) Without the specific authorization of the governmental entity for which he serves, use public funds or property to obtain a pecuniary benefit for himself.

It is the opinion of the Attorney General's Office that the legislature, by enacting Idaho Code § 18-1359(1)(a), did not intend to prohibit and criminalize participation in activities such as this tour. The combination of official business with conferences and social activities is a fact of modern life, and it is the opinion of this office that the legislature did not intend to eliminate that reality. This tour is a legitimate function of the legislature, and the expenses associated with the tour, if submitted on a voucher, could be financed by the state. As such, they are clearly not pecuniary benefits inuring to the legislators' personal or private benefit.

Question No. 18: Would a business trip by legislators for the purpose of viewing demonstrations of a product purchased by the state, in which airfare, food and lodging were paid for by the vendor, but not entertainment events, violate either the Ethics in Government Act or the Bribery and Corrupt Influences Act?

Answer: Idaho Code § 74-402, the Ethics in Government Act, is directed primarily towards improper activities of public officials in the course of their official duties. In this case it is apparent that the public officials would derive some pecuniary benefit from the trip. However, the pecuniary benefit does not appear personal in nature because the trip is for business purposes only, without any entertainment or personal activities on the agenda. The facts do not reveal that any "official action" or any decision or recommendation has been made by the public officials to the benefit of the company sponsoring the trip. The trip does not relate to any upcoming bidding or contracting process in which the

company stands to gain or lose. The trip does not seem to violate the Ethics in Government Act.

Idaho Code § 18-1359(1)(a) is also not an issue in this case. The officials are acting strictly in their official capacity, there will be no private or personal gain in the form of entertainment or other purely personal activities, and the business trip appears to be directed solely at a legitimate legislative function--gathering technical information relevant to the state's interest in a product. This type of informational business trip does not call into question the type of private pecuniary gain or official action in return for such gain which Idaho's ethics laws clearly and strongly outlaw. The trip would not violate either the Ethics in Government Act or the Bribery and Corrupt Influences Act.

Question No. 19: Can members of the Idaho Legislature accept gift packs from a marketing association in the state of Idaho in which the products are intended to promote the variety and quality of merchandise produced in Idaho?

Answer:According to Idaho Code § 74-403(4), a conflict of interest occurs when a legislative official takes official action or makes an official decision or recommendation, the effect being to the "private pecuniary benefit" of such person, the person's household or business. Based on the facts in this case, it is difficult to foresee any legislator having a conflict of interest resulting from the acceptance of one of the complimentary gift packs. A conflict of interest requires some official action by the legislator. From the facts presented in this case, there is no indication the receipt of the gift pack was the result of any official action, decision or recommendation taken or proposed by any legislator. Mere acceptance of the gift pack does not violate the provisions of Idaho Code § 18-1359(1)(b). In addition, under Idaho Code § 18-1359(1)(b), trivial gifts or benefits, which do not exceed \$50.00 in value, are not prohibited if they are incidental to personal, professional or business contacts and do not affect official impartiality.

Question No. 20: If a major corporate officer of a firm which performs a great deal of work for one of the state departments should become a member of the Idaho Legislature, would there be any possibility of a "conflict of interest" arising out of his holding public office and voting on appropriations while continuing to be a corporate officer of a private firm?

Answer: Yes. Idaho Code § 74-501, provides:

Members of the legislature, state, county, city, district and precinct officers, must not be interested in any contract made by them in their official capacity, or by any body or board of which they are members.

In addition to constitutional and statutory provisions, the rules of the senate or house of representatives may require that members declare their interest or abstain from voting in cases involving conflicting personal and public interests.

INCOMPATIBILITY OF OFFICE

Question No. 21: May an individual serve in the Idaho Legislature and as the mayor of a municipality at the same time?

Answer:Idaho has no constitutional or statutory provisions prohibiting a state legislator from concurrently holding another public office. However, the common law doctrine of incompatibility of office should be examined.

The common law doctrine of incompatibility as it relates to one person holding two public offices is based upon the public policy that public service requires the discharge of official duties with undivided loyalty. In the question presented, the two positions are not incompatible. The office of mayor is wholly independent from the state legislature and cannot in any sense be viewed as subordinate. The duties of the mayor do not conflict or clash with the duties of a state legislator.

Finally, it has been suggested that holding dual offices violates the distribution of powers clause of Idaho Constitution art. 2, sec. 1. This section provides:

The powers of the government of this state are divided into three distinct departments, the legislative, executive and judicial; and no person or collection of persons charged with the exercise of powers properly belonging to one of these departments shall exercise any powers properly belonging to either of the others, except as in this constitution expressly directed or permitted.

In relation to the separation of powers between state and local governments (prohibiting a person from serving in an executive capacity on the local level and as a legislator in the state government), this office

has been unable to find any authority indicating that the doctrine has any application.

The fact that a state legislator is also a municipal executive officer does not in any sense impinge or intrude upon the authority of the state judicial or executive branches. Similarly, the fact that a city mayor is also a state legislator does not intrude upon the authority of the respective city council. Thus, holding dual public offices, one municipal and one state, does not violate art. 2, § 1 of the Idaho Constitution. This office can find no statutory or common law prohibition preventing a city mayor from serving in the Idaho Legislature.

Question No. 22: May a member of a county planning and zoning commission serve as a city councilman without creating a conflict of interest?

Answer: The Local Planning Act contains a conflict of interest provision:

A member or employee of a governing board, commission, or joint commission shall not participate in any proceeding or action when the member or employee or his employer, business partner, business(,) associate, or any person related to him by affinity or consanguinity within the second degree has an economic interest in the procedure or action.

Idaho Code § 67-6506.

Because a city council member is an agent of the city he/she represents, this section would probably prevent him/her from participating in any county zoning decisions that may affect the city's economic interests. However, there is no provision requiring the council member to resign his/her position.

There is also present a question of incompatibility of office. The common law doctrine applies if there is a potential conflict between the two offices such that one individual could not give absolute allegiance to both offices. Incompatibility is most often found where one office supervises the other or when the interests of the two offices are antagonistic to each other. 3 *McQuillin on Municipal Corporations*, §§ 12.66 *et seq*.

In the area of zoning, the interests of the county and the city may frequently be at odds, and it is not uncommon for cities and counties to sue one another over zoning disputes. Under such circumstances one person could not fill both offices without a conflict of loyalty. If two offices are incompatible, one office should be vacated. The Attorney General's Office recommends that one office be vacated to eliminate the incompatibility problem.

Question No. 23: May a person serve as a chairman of a county political party and as a member of the Idaho State board of Correction?

Answer:It appears that a person cannot serve as chairman of a county political party and retain a position on the board of correction. Idaho Code § 20-204 provides:

The members of the board of correction and its officers and employees shall not, at any time of appointment nor during their incumbency of office, serve as the representative, officer, or employee of any political party.

The language of this code section is clear and unambiguous. An individual cannot serve as a representative, officer or employee of a political party and also serve on the state board of correction.

CONSANGUINITY CHART

			4 Great Great Grandparent
		4 Great Grand Uncle/Aunt	3 Great Grandparent
	3 Child of Great Uncle/Aunt	3 Great Uncle/ Aunt	2 Grandparent
3 Second Cousin	2 Cousin	2 Uncle/Aunt	1 Parent
3 Cousin's Child	2 Nephew/Niece	1 Sibling	1 Person 'A'
3 Grand Nephew/Niece			1 Child
			2 Grandchild
			3 Great Grandchild

RELEVANT STATUTES

Bribery and Corrupt Influence Act

18-1351. Bribery and corrupt practices — Definitions.

Unless a different meaning plainly is required in this chapter:

- (5) "Benefit" means gain or advantage, or anything regarded by the beneficiary as gain or advantage, including benefit to any other person or entity in whose welfare he is interested, but not an advantage promised generally to a group or class of voters as a consequence of public measures which a candidate engages to support or oppose.
- (6) "Confidential information" means knowledge gained through a public office, official duty or employment by a governmental entity which is not subject to disclosure to the general public and which, if utilized in financial transactions would provide the user with an advantage over those not having such information or result in harm to the governmental entity from which it was obtained.
- (7) "Government" includes any branch, subdivision or agency of the government of the state or any locality within it and other political subdivisions including, but not limited to, highway districts, planning and zoning commissions and cemetery districts, and all other governmental districts, commissions or governmental bodies not specifically mentioned in this chapter.
- (8) "Harm" means loss, disadvantage or injury, including loss, disadvantage or injury to any other person or entity in whose welfare he is interested.
- (9) "Official proceeding" means a proceeding heard or which may be heard before any legislative, judicial, administrative or other governmental agency or official authorized to take evidence under oath, including any referee, hearing examiner, commissioner, notary or other person taking testimony or deposition in connection with any such proceeding.
- (10) "Party official" means a person who holds an elective or appointive post in a political party in the United States by virtue of which he directs or conducts, or participates in directing or conducting party affairs at any level of responsibility.

- (11) "Pecuniary benefit" is any benefit to a public official or member of his household in the form of money, property or commercial interests, the primary significance of which is economic gain.
- (12) "Public servant" means any officer or employee of government, including legislators and judges, and any person participating as juror, advisor, consultant or otherwise, in performing a governmental function; but the term does not include witnesses.
- (13) "Administrative proceeding" means any proceeding, other than a judicial proceeding, the outcome of which is required to be based on a record or documentation prescribed by law, or in which law or regulation is particularized in application to individuals.

18-1352. Bribery in official and political matters.

A person is guilty of bribery, a felony, if he offers, confers or agrees to confer upon another, or solicits, accepts or agrees to accept from another:

- (1) Any pecuniary benefit as consideration for the recipient's decision, opinion, recommendation, vote or other exercise of discretion as a public servant, party official or voter; or
- (2) Any benefit as consideration for the recipient's decision, vote, recommendation or other exercise of official discretion in a judicial or administrative proceeding; or
- (3) Any benefit as consideration for a violation of a known legal duty as public servant or party official. It is no defense to prosecution under this section that a person whom the actor sought to influence was not qualified to act in the desired way whether because he had not yet assumed office, or lacked jurisdiction, or for any other reason.

18-1353. Threats and other improper influence in official **and political matters.**

- (1) Offenses defined. A person commits an offense if he:
- (a) threatens unlawful harm to any person with purpose to influence his decision, opinion, recommendation, vote or other exercise of discretion as a public servant, party official or voter; or

- (b) threatens harm to any public servant with purpose to influence his decision, opinion, recommendation, vote or other exercise of discretion in a judicial or administrative proceeding; or
- (c) threatens harm to any public servant or party official with purpose to influence him to violate his known legal duty; or
- (d) privately addresses to any public servant who has or will have an official discretion in a judicial or administrative proceeding any representation, entreaty, argument or other communication with purpose to influence the outcome on the basis of considerations other than those authorized by law.

It is no defense to prosecution under this section that a person whom the actor sought to influence was not qualified to act in the desired way, whether because he had not yet assumed office, or lacked jurisdiction, or for any other reason.

(2) Grading. An offense under this section is a misdemeanor unless the actor threatened to commit a crime or made a threat with purpose to influence a judicial or administrative proceeding, in which cases the offense is a felony.

18-1353A. Threats against state officials of the executive, legislative or judicial branch.

Whoever knowingly and willfully deposits for conveyance in the mail or for a delivery from any post office or by any letter carrier, any letter, paper, writing, print, missive, or document containing any threat to take the life of or to inflict bodily harm upon any state elected official of the executive or legislative branch, or any justice, judge or magistrate of the judicial branch, or person appointed to fill the vacancy of a state elected official of the executive or legislative branch of the state of Idaho, or knowingly and willfully otherwise makes any such threat against a state elected official of the executive or legislative branch, or any justice, judge or magistrate of the judicial branch, or person appointed to fill the vacancy of a state elected official of the executive or legislative branch of the state of Idaho is guilty of a misdemeanor and upon conviction thereof shall be fined not to exceed one thousand dollars (\$1,000) and shall be sentenced to not to exceed one (1) year in the county jail. If such threat is made while the defendant exhibits a firearm or other dangerous or deadly weapon, the defendant shall be guilty of a felony. Upon a second or subsequent conviction of an offense under this section, the defendant

shall be guilty of a felony and shall be sentenced to a term of not to exceed five (5) years in the state penitentiary.

18-1354. Compensation for past official behavior.

A person commits a misdemeanor if he solicits, accepts, or agrees to accept any pecuniary benefit as compensation for having as public servant, given a decision, opinion, recommendation or vote favorable to another, or for having otherwise exercised a discretion in his favor, or for having violated his duty. A person commits a misdemeanor if he offers, confers or agrees to confer, compensation, acceptance of which is prohibited by this section.

18-1355. Retaliation for past official action.

A person commits a misdemeanor if he harms another by any unlawful acts in retaliation for anything lawfully done by the latter in the capacity of public servant.

18-1356. Gifts to public servants by persons subject to their jurisdiction.

- (1) Regulatory and law enforcement officials. No public servant in any department or agency exercising regulatory functions, or conducting inspections or investigations, or carrying on civil or criminal litigation on behalf of the government, or having custody of prisoners, shall solicit, accept or agree to accept any pecuniary benefit from a person known to be subject to such regulation, inspection, investigation or custody, or against whom such litigation is known to be pending or contemplated.
- (2) Officials concerned with government contracts and pecuniary transactions. No public servant having any discretionary function to perform in connection with contracts, purchases, payments, claims or other pecuniary transactions of the government shall solicit, accept or agree to accept any pecuniary benefit from any person known to be interested in or likely to become interested in any such contract, purchase, payment, claim or transaction.
- (3) Judicial and administrative officials. No public servant having judicial or administrative authority and no public servant employed by or in a court or other tribunal having such authority, or participating in the enforcement of its decisions, shall solicit, accept or agree to accept any pecuniary benefit from a person known to be

interested in or likely to become interested in any matter before such public servant or a tribunal with which he is associated.

- (4) Legislative and executive officials. No legislator or public servant shall solicit, accept or agree to accept any pecuniary benefit in return for action on a bill, legislation, proceeding or official transaction from any person known to be interested in a bill, legislation, official transaction or proceeding.
 - (5) Exceptions. This section shall not apply to:
 - (a) fees prescribed by law to be received by a public servant, or any other benefit for which the recipient gives legitimate consideration or to which he is otherwise legally entitled; or
 - (b) gifts or other benefits conferred on account of kinship or other personal, professional or business relationship independent of the official status of the receiver; or
 - (c) trivial benefits not to exceed a value of fifty dollars (\$50.00) incidental to personal, professional or business contacts and involving no substantial risk of undermining official impartiality; or
 - (d) benefits received as a result of lobbying activities that are disclosed in reports required by chapter 66, title 67, Idaho Code. This exception shall not apply to any activities prohibited by subsections (1) through (4) of this section.
- (6) Offering benefits prohibited. No person shall knowingly confer, or offer or agree to confer, any benefit prohibited by the foregoing subsections.
- (7) Grade of offense. An offense under this section is a misdemeanor and shall be punished as provided in this chapter.

18-1357. Compensating public servant for assisting private interests in relation to matters before him

(1) Receiving compensation. A public servant commits a misdemeanor if he solicits, accepts or agrees to accept compensation for advice or other assistance in preparing or promoting a bill, contract, claim, or other transaction or proposal as to which he knows that he has or is likely to have an official discretion to exercise.

(2) Paying compensation. A person commits a misdemeanor if he pays or offers or agrees to pay compensation to a public servant with knowledge that acceptance by the public servant is unlawful.

18-1358. Selling political endorsement — Special influence.

- (1) Selling political endorsement. A person commits a misdemeanor if he solicits, receives, agrees to receive, or agrees that any political party or other person shall receive any pecuniary benefit as consideration for approval or disapproval of an appointment or advancement in public service, or for approval or disapproval of any person or transaction for any benefit conferred by an official or agency of the government. "Approval" includes recommendations, failure to disapprove, or any other manifestation of favor or acquiescence. "Disapproval" includes failure to approve, or any other manifestation of disfavor or non-acquiescence
- (2) Other trading in special influence. A person commits a misdemeanor if he solicits, receives or agrees to receive any pecuniary benefit as consideration for exerting special influence upon a public servant or procuring another to do so. "Special influence" means power to influence through kinship, friendship, or other relationship apart from the merits of the transaction.
- (3) Paying for endorsement or special influence. A person commits a misdemeanor if he offers, confers or agrees to confer any pecuniary benefit, receipt of which is prohibited by this section.

18-1359. Using public position for personal gain.

(1) No public servant shall:

- (a) Without the specific authorization of the governmental entity for which he serves, use public funds or property to obtain a pecuniary benefit for himself.
- (b) Solicit, accept or receive a pecuniary benefit as payment for services, advice, assistance or conduct customarily exercised in the course of his official duties. This prohibition shall not include trivial benefits not to exceed a value of fifty dollars (\$50.00) incidental to personal, professional or business contacts and involving no substantial risk of undermining official impartiality.

- (c) Use or disclose confidential information gained in the course of or by reason of his official position or activities in any manner with the intent to obtain a pecuniary benefit for himself or any other person or entity in whose welfare he is interested or with the intent to harm the governmental entity for which he serves.
- (d) Be interested in any contract made by him in his official capacity, or by any body or board of which he is a member, except as provided in section 18-1361, Idaho Code.
- Appoint or vote for the appointment of any person (e) related to him by blood or marriage within the second degree, to any clerkship, office, position, employment or duty, when the salary, wages, pay or compensation of such appointee is to be paid out of public funds or fees of office, or appoint or furnish employment to any person whose salary, wages, pay or compensation is to be paid out of public funds or fees of office, and who is related by either blood or marriage within the second degree to any other public servant when such appointment is made on the agreement or promise of such other public servant or any other public servant to appoint or furnish employment to anyone so related to the public servant making or voting for such appointment. Any public servant who pays out of any public funds under his control or who draws or authorizes the drawing of any warrant or authority for the payment out of any public fund of the salary, wages, pay, or compensation of any such ineligible person, knowing him to be ineligible, is guilty of a misdemeanor and shall be punished as provided in this chapter.
- (f) Unless specifically authorized by another provision of law, commit any act prohibited of members of the legislature or any officer or employee of any branch of the state government by section 67-5726, Idaho Code, violations of which are subject to penalties as provided in section 67-5734, Idaho Code, which prohibition and penalties shall be deemed to extend to all public servants pursuant to the provisions of this section.
- (2) No person related to any member of the legislature by blood or marriage within the second degree shall be appointed to any clerkship, office, position, employment or duty within the legislative branch of government or otherwise be employed by the legislative branch of government when the salary, wages, pay or compensation of such appointee or employee is to be paid out of public funds.

- (3) No person related to a mayor or member of a city council by blood or marriage within the second degree shall be appointed to any clerkship, office, position, employment or duty with the mayor's or city council's city when the salary, wages, pay or compensation of such appointee or employee is to be paid out of public funds.
- (4) No person related to a county commissioner by blood or marriage within the second degree shall be appointed to any clerkship, office, position, employment or duty with the commissioner's county when the salary, wages, pay or compensation of such appointee or employee is to be paid out of public funds.
- (5) (a) An employee of a governmental entity holding a position prior to the election of a local government official, who is related within the second degree, shall be entitled to retain his or her position and receive general pay increases, step increases, cost of living increases, and/or other across the board increases in salary or merit increases, benefits and bonuses or promotions.
 - (b) Nothing in this section shall be construed as creating any property rights in the position held by an employee subject to this section, and all authority in regard to disciplinary action, transfer, dismissal, demotion or termination shall continue to apply to the employee.
- (6) The prohibitions contained within this section shall not include conduct defined by the provisions of section 74-403(4), Idaho Code
- (7) The prohibitions within this section and section 18-1356, Idaho Code, as it applies to part-time public servants, do not include those actions or conduct involving the public servant's business, profession or occupation and unrelated to the public servant's official conduct, and do not apply to a pecuniary benefit received in the normal course of a legislator's business, profession or occupation and unrelated to any bill, legislation, proceeding or official transaction.

18-1360. Penalties.

Any public servant who violates the provisions of this chapter, unless otherwise provided, shall be guilty of a misdemeanor and may be punished by a fine not exceeding one thousand dollars (\$1,000), or by incarceration in the county jail for a period not exceeding one (1) year, or by both such fine and incarceration. In addition to any penalty imposed

in this chapter, any person who violates the provisions of this chapter may be required to forfeit his office and may be ordered to make restitution of any benefit received by him to the governmental entity from which it was obtained.

18-1361. Self-interested contracts — Exception.

Where there are less than three (3) suppliers of a good or a service within a fifteen (15) mile radius of where the good or service is to be provided, it shall not constitute a violation of the provisions of subsection (1) (d) or (e) of section 18-1359, Idaho Code, for a public servant or for his relative to contract with the public body of which the public servant is a member if the contract is reasonably necessary to respond to a disaster as defined in chapter 10, title 46, Idaho Code, or if the procedures listed below are strictly observed. For purposes of this section, "relative" shall mean any person related to the public servant by blood or marriage within the second degree.

- (1) The contract is competitively bid and the public servant or his relative submits the low bid; and
- (2) Neither the public servant nor his relative takes any part in the preparation of the contract or bid specifications, and the public servant takes no part in voting on or approving the contract or bid specifications; and
- (3) The public servant makes full disclosure, in writing, to all members of the governing body, council or board of said public body of his interest or that of his relative and of his or his relative's intention to bid on the contract; and
- (4) Neither the public servant nor his relative has violated any provision of Idaho law pertaining to competitive bidding or improper solicitation of business.

18-1361A. Non-compensated appointed public servant — Relatives of public servant — Exception.

When a person is a public servant by reason of his appointment to a governmental entity board for which the person receives no salary or fees for his service on said board, it shall not constitute a violation of the provisions of subsection (1)(d) or (e) of section 18-1359, Idaho Code, for a public servant or for his relative to contract with the public body of which the public servant is a member if the procedures listed below are

strictly observed. For purposes of this section, "relative" shall mean any person related to the public servant by blood or marriage within the second degree.

- (1) The contract is competitively bid and the public servant or his relative submits the low bid; and
- (2) Neither the public servant nor his relative takes any part in the preparation of the contract or bid specifications, and the public servant takes no part in voting on or approving the contract or bid specifications; and
- (3) The public servant makes full disclosure, in writing, to all members of the governing body, council or board of said public body of his interest or that of his relative and of his or his relative's intention to bid on the contract; and
- (4) Neither the public servant nor his relative has violated any provision of Idaho law pertaining to competitive bidding or improper solicitation of business.

18-1362. Cause of action.

A prosecuting attorney or the attorney general may bring an action in the district court of the county in which a public servant resides to enjoin a violation of the provisions of this chapter and to require the public servant to make restitution to the government of any pecuniary gain obtained. The prevailing party shall be awarded his costs and reasonable attorney fees.

Ethics in Government Act

74-401. Short title.

This act shall be known and may be cited as the "Ethics in Government Act of 2015."

74-402. Policy and purpose.

It is hereby declared that the position of a public official at all levels of government is a public trust and it is in the public interest to:

- (1) Protect the integrity of government throughout the state of Idaho while at the same time facilitating recruitment and retention of personnel needed within government;
- (2) Assure independence, impartiality and honesty of public officials in governmental functions;
- (3) Inform citizens of the existence of personal interests which may present a conflict of interest between an official's public trust and private concerns;
- (4) Prevent public office from being used for personal gain contrary to the public interest;
- (5) Prevent special interests from unduly influencing governmental action; and
- (6) Assure that governmental functions and policies reflect, to the maximum extent possible, the public interest.

74-403. Definitions. — For purposes of this chapter:

- (1) "Official action" means any decision on, or proposal, consideration, enactment, defeat, or making of any rule, regulation, rate-making proceeding or policy action or nonaction by a governmental body or any other policy matter which is within the official jurisdiction of the governmental body.
- (2) "Business" means any undertaking operated for economic gain, including, but not limited to, a corporation, partnership, trust, proprietorship, firm, association or joint venture.
- (3) "Business with which a public official is associated" means any business of which the public official or member of his household is a director, officer, owner, partner, employee or holder of stock over five thousand dollars (\$5,000) or more at fair market value.
- (4) "Conflict of interest" means any official action or any decision or recommendation by a person acting in a capacity as a public official, the effect of which would be to the private pecuniary benefit of the person or a member of the person's household, or a business with which the person or a member of the person's household is associated, unless the pecuniary benefit arises out of the following:

- (a) An interest or membership in a particular business, industry, occupation or class required by law as a prerequisite to the holding by the person of the office or position;
- (b) Any action in the person's official capacity which would affect to the same degree a class consisting of an industry or occupation group in which the person, or a member of the person's household or business with which the person is associated, is a member or is engaged;
- (c) Any interest which the person has by virtue of his profession, trade or occupation where his interest would be affected to the same degree as that of a substantial group or class of others similarly engaged in the profession, trade or occupation;
- (d) Any action by a public official upon any revenue measure, any appropriation measure or any measure imposing a tax, when similarly situated members of the general public are affected by the outcome of the action in a substantially similar manner and degree.
- (5) "Economic gain" means increase in pecuniary value from sources other than lawful compensation as a public official.
 - (6) "Governmental entity" means:
 - (a) The state of Idaho and all agencies, commissions and other governmental bodies of the state; and
 - (b) Counties and municipalities of the state of Idaho, all other political subdivisions including, but not limited to, highway districts, planning and zoning commissions or governmental bodies not specifically mentioned in this chapter.
- (7) "Members of a household" mean the spouse and dependent children of the public official and/or persons whom the public official is legally obligated to support.
- (8) "Person" means an individual, proprietorship, partnership, association, trust, estate, business trust, group or corporation, whether operated for profit or not, and any other legal entity, or agent or servant thereof, or a governmental entity.

- (9) "Public office" means any position in which the normal and usual duties are conducted on behalf of a governmental entity.
- (10) "Public official" means any person holding public office in the following capacity:
 - (a) As an elected public official meaning any person holding public office of a governmental entity by virtue of an elected process, including persons appointed to a vacant elected office of a governmental entity, excluding members of the judiciary; or
 - (b) As an elected legislative public official meaning any person holding public office as a legislator; or
 - (c) As an appointed public official meaning any person holding public office of a governmental entity by virtue of formal appointment as required by law; or
 - (d) As an employed public official meaning any person holding public office of a governmental entity by virtue of employment, or a person employed by a governmental entity on a consultative basis.

74-404. Required action in conflicts.

A public official shall not take any official action or make a formal decision or formal recommendation concerning any matter where he has a conflict of interest and has failed to disclose such conflict as provided in this section. Disclosure of a conflict does not affect an elected public official's authority to be counted for purposes of determining a quorum and to debate and to vote on the matter, unless the public official requests to be excused from debate and voting at his or her discretion. In order to determine whether a conflict of interest exists relative to any matter within the scope of the official functions of a public official, a public official may seek legal advice from the attorney representing that governmental entity or from the attorney general or from independent counsel. If the legal advice is that no real or potential conflict of interest exists, the public official may proceed and shall not be subject to the prohibitions of this chapter. If the legal advice is that a real or potential conflict may exist, the public official:

(1) If he is an elected legislative public official, he shall disclose the nature of the potential conflict of interest and/or be subject to the rules of the body of which he/she is a member and shall take all action

required under such rules prior to acting on the matter. If a member requests to be excused from voting on an issue which involves a conflict or a potential conflict, and the body of which he is a member does not excuse him, such failure to excuse shall exempt that member from any civil or criminal liability related to that particular issue.

- (2) If he is an elected state public official, he shall prepare a written statement describing the matter required to be acted upon and the nature of the potential conflict, and shall file such statement with the secretary of state prior to acting on the matter. A public official may seek legal advice from the attorney representing that agency or from the attorney general or from independent counsel. The elected public official may then act on the advice of the agency's attorney, the attorney general or independent counsel.
- (3) If he is an appointed or employed state public official, he shall prepare a written statement describing the matter to be acted upon and the nature of the potential conflict, and shall deliver the statement to his appointing authority. The appointing authority may obtain an advisory opinion from the attorney general or from the attorney representing that agency. The public official may then act on the advice of the attorney general, the agency's attorney or independent counsel.
- (4) If he is an elected public official of a county or municipality, he shall disclose the nature of a potential conflict of interest prior to acting on a matter and shall be subject to the rules of the body of which he/she is a member and take all action required by the rules prior to acting on the matter. If a member requests to be excused from voting on an issue, which involves a conflict or a potential conflict, and the body of which he is a member, does not excuse him, such failure to excuse shall exempt that member from any civil or criminal liability related to that particular issue. The public official may obtain an advisory opinion from the attorney general or the attorney for the county or municipality or from independent counsel. The public official may then act on the advice of the attorney general or attorney for the county or municipality or his independent counsel.
- (5) If he is an appointed or employed public official of a county or municipality, he shall prepare a written statement describing the matter required to be acted upon and the nature of the potential conflict, and shall deliver the statement to his appointing authority. The appointing authority may obtain an advisory opinion from the attorney for the appointing authority, or, if none, the attorney general. The public official

may then act on the advice of the attorney general or attorney for the appointing authority or independent counsel.

- (6) Nothing contained herein shall preclude the executive branch of state government or a political subdivision from establishing an ethics board or commission to perform the duties and responsibilities provided for in this chapter. Any ethics board or commission so established shall have specifically stated powers and duties including the power to:
 - (a) Issue advisory opinions upon the request of a public official within its jurisdiction;
 - (b) Investigate possible unethical conduct of public officials within its jurisdiction and conduct hearings, issue findings, and make recommendations for disciplinary action to a public official's appointing authority;
 - (c) Accept complaints of unethical conduct from the public and take appropriate action.

74-405. Noncompensated public official — Exception.

When a person is a public official by reason of his appointment or election to a governing board of a governmental entity for which the person receives no salary or fee as compensation for his service on said board, he shall not be prohibited from having an interest in any contract made or entered into by the board of which he is a member, if he strictly observes the procedure set out in section 18-1361A, Idaho Code.

74-406. Civil penalty.

- (1) Any public official who intentionally fails to disclose a conflict of interest as provided for in section 74-404, Idaho Code, shall be guilty of a civil offense, the penalty for which may be a fine not to exceed five hundred dollars (\$500), provided that the provisions of this subsection shall not apply to any public official where the governmental entity on which said official serves has put into operation an ethics commission or board described in section 74-404(6), Idaho Code.
- (2) The penalty prescribed in subsection (1) of this section does not limit the power of either house of the legislature to discipline its own members, nor limit the power of governmental entities, including occupational or professional licensing bodies, to discipline their members

or personnel. A violation of the provisions of this chapter shall not preclude prosecution and conviction for any criminal violation that may have been committed

Prohibitions Against Contracts with Officers

74-501. Officers not to be interested in contracts.

Members of the legislature, state, county, city, district and precinct officers, must not be interested in any contract made by them in their official capacity, or by any body or board of which they are members.

74-502. Remote interests.

- (1) A public officer shall not be deemed to be interested in a contract, within the meaning of section 74-501, Idaho Code, if he has only a remote interest in the contract and if the fact and extent of such interest is disclosed to the body of which he is an officer and noted in the official minutes or similar records prior to the formation of the contract, and thereafter the governing body authorizes, approves, or ratifies the contract in good faith by a vote of its membership sufficient for the purpose without counting the vote or votes of the officer having the remote interest. As used in this section, "remote interest" means:
 - (a) That of a nonsalaried officer of a nonprofit corporation; or
 - (b) That of an employee or agent of a contracting party where the compensation of such employee or agent consists entirely of fixed wages or salary; or
 - (c) That of a landlord or tenant of a contracting party; or
 - (d) That of a holder of less than one percent (1%) of the shares of a corporation or cooperative which is a contracting party.
- (2) Although a public official's interest in a contract may be only remote, a public official shall not influence or attempt to influence any other officer of the board of which he is an officer to enter into the contract. Violation of the provisions of this subsection shall be a misdemeanor as provided in section 74-509, Idaho Code. Any contract

created or entered into in violation of the provisions of this subsection shall be void

74-503. Officers not to be interested in sales.

State, county, district, precinct and city officers must not be purchasers at any sale nor vendors at any purchase made by them in their official capacity.

74-504. Prohibited contracts voidable.

Every contract made in violation of any of the provisions of this chapter may be avoided at the instance of any party except the officer interested therein.

74-505. Dealing in warrants prohibited.

The state treasurer and state controller, the several county, city, district or precinct officers of this state, their deputies and clerks, are prohibited from purchasing or selling, or in any manner receiving to their own use or benefit, or to the use or benefit of any person or persons, whatever, any state, county, or city warrants, scrip, orders, demands, claims, or other evidences of indebtedness against the state, or any county or city thereof, except evidences of indebtedness issued to or held by them for services rendered as such officer, deputy or clerk, and evidences of the funded indebtedness of such state, county, city, district or corporation.

74-506. Affidavit of nonviolation a prerequisite to allowance of accounts.

Every officer whose duty it is to audit and allow the accounts of other state, county, district, city or precinct officers, must, before allowing such accounts, require each of such officers to make and file with him an affidavit that he has not violated any of the provisions of this chapter.

74-507. Provisions of chapter violated — Disbursing officer not to pay warrants.

Officers charged with the disbursement of public moneys must not pay any warrant or other evidence of indebtedness against the state, county, city or district, when the same has been purchased, sold, received or transferred contrary to any of the provisions of this chapter.

74-508. Suspension of settlement or payment — Prosecution of offenders.

Every officer charged with the disbursement of public moneys, who is informed by affidavit that any officer whose account is to be settled, audited, or paid by him, has violated any of the provisions of this chapter, must suspend such settlement or payment, and cause such officer to be prosecuted for such violation.

74-509. Violation.

A violation of the provisions of this chapter, unless otherwise provided, is a misdemeanor and shall be punished by a fine not exceeding one thousand dollars (\$1,000), or incarceration in the county jail for a period not exceeding one (1) year, or by both such fine and incarceration.

74-510. Noncompensated public official —Exception.

When a person is a public official by reason of his appointment or election to a governing board of a governmental entity for which the person receives no salary or fee as compensation for his service on said board, he shall not be prohibited from having an interest in any contract made or entered into by the board of which he is a member, if he strictly observes the procedure set out in section 18-1361A, Idaho Code.

74-511. Violation relating to public contracts.

Officers shall not commit any act prohibited by section 67-5726, Idaho Code, violations of which are subject to penalties as provided in section 67-5734, Idaho Code, and which prohibitions and penalties shall be deemed to extend to all public officers governed by the provisions of this chapter.

Severability

The provisions of this act are hereby declared to be severable and if any provision of this act or this application of such provision to any person or circumstance is declared invalid for any reason, such declaration shall not affect the validity of the remaining portions of this act.

Miscellaneous Statutes

31-2606. Prohibitions.

No prosecuting attorney must receive any fee or rewards for or on behalf of any prosecutor or other individual, for services in any prosecution, or business to which it is his official duty to attend or discharge; nor be concerned as attorney or counsel for either party other than for the state, people or county, in any civil action depending upon the same state of facts, upon which any criminal prosecution commenced but not determined depends, and no law partner of any county attorney must be engaged in the defense of any suit, action or proceeding, in which said prosecuting attorney appears on behalf of the people, state or county.

33-507. Limitation upon authority of trustees.

It shall be unlawful for any trustee to have pecuniary interest directly or indirectly in any contract or other transaction pertaining to the maintenance or conduct of the school district, or to accept any reward or compensation for services rendered as a trustee except as may be otherwise provided in this section. The board of trustees of a school district may accept and award contracts involving the school district to businesses in which a trustee or a person related to him by blood or marriage within the second degree has a direct or indirect interest provided that the procedures set forth in section 18-1361 or 18-1361A, Idaho Code, are followed. The receiving, soliciting or acceptance of moneys of a school district for deposit in any bank or trust company, or the lending of money by any bank or trust company to any school district, shall not be deemed to be a contract pertaining to the maintenance or conduct of a school district within the meaning of this section; nor shall the payment by any school district board of trustees of compensation to any bank or trust company for services rendered in the transaction of any banking business with such district board of trustees. be deemed the payment of any reward or compensation to any officer or director of any such bank or trust company within the meaning of this section

It shall be unlawful for the board of trustees of any class of school district to enter into or execute any contract with the spouse of any member of such board, the terms of which said contract requires, or will require, the payment or delivery of any school district funds, money or property to such spouse, except as provided in section 18-1361 or 18-1361A, Idaho Code

When any relative of any trustee or relative of the spouse of a trustee related by affinity or consanguinity within the second degree is considered for employment in a school district, such trustee shall abstain from voting in the election of such relative, and shall be absent from the meeting while such employment is being considered and determined.

59-102. Legislators disqualified from holding certain offices.

It shall be unlawful for any member of the legislature, during the term for which he was elected, to accept or receive, or for the governor, or other officials or board, to appoint such member of the legislature to, any office of trust, profit, honor or emolument, created by any law passed by the legislature of which he is a member. Any appointment made in violation of this section shall be null and void and without force and effect, and any attempt to exercise the powers of such office by such appointee shall be a usurpation, and the appointee shall be deemed guilty of a misdemeanor, and, on conviction, shall be fined not less than \$500 nor more than \$5000.

67-5726, Prohibitions.

- (1) No contract or order or any interest therein shall be transferred by the contract or order to whom such contract or order is given to any other party, without the approval in writing of the administrator. Transfer of a contract without approval shall cause the annulment of the contract so transferred, at the option of the state. All rights of action, however, for any breach of such contract by the contracting parties are reserved to the state. No member of the legislature or any officer or employee of any branch of the state government shall directly, himself, or by any other person in trust for him or for his use or benefit or on his account, undertake, execute, hold or enjoy, in whole or part, any contract or agreement made or entered into by or on behalf of the state of Idaho, if made by, through, or on behalf of the department in which he is an officer or employee; or if made by, through or on behalf of any other department unless the same is made after competitive bids.
- (2) Except as provided by section 67-5718, Idaho Code, no officer or employee shall influence or attempt to influence the award of a contract to a particular vendor, or to deprive or attempt to deprive any vendor of an acquisition contract.
- (3) No officer or employee shall conspire with a vendor or its agent, and no vendor or its agent shall conspire with an officer or

employee, to influence or attempt to influence the award of a contract, or to deprive or attempt to deprive a vendor of an acquisition award.

- (4) No officer or employee shall fail to utilize an open contract without justifiable cause for such action. No officer or employee shall accept property which he knows does not meet specifications or substantially meet the original performance test results.
- (5) Deprivation, influence or attempt thereat shall not include written reports, based upon substantial evidence, sent to the administrator of the division of purchasing concerning matters relating to the responsibility of vendors.
- (6) No vendor or related party, or subsidiary, or affiliate of a vendor may submit a bid to obtain a contract to provide property to the state, if the vendor or related party, or affiliate or subsidiary was paid for services utilized in preparing the bid specifications or if the services influenced the procurement process. [I.C., § 67-5726, as added by 1975, ch. 254, § 2, p. 686; am. 1991, ch. 158, § 5, p. 374; am. 1994, ch. 110 § 1, p. 243; am. 2001, ch. 36, § 7, p. 55.]

67-6506. Conflict of interest prohibited.

A governing board creating a planning, zoning, or planning and zoning commission, or joint commission shall provide that the area and interests within its jurisdiction are broadly represented on the commission. A member or employee of a governing board, commission, or joint commission shall not participate in any proceeding or action when the member or employee or his employer, business partner, business associate, or any person related to him by affinity or consanguinity within the second degree has an economic interest in the procedure or action. Any actual or potential interest in any proceeding shall be disclosed at or before any meeting at which the action is being heard or considered. For purposes of this section the term "participation" means engaging in activities which constitute deliberations pursuant to the open meeting act. No member of a governing board or a planning and zoning commission with a conflict of interest shall participate in any aspect of the decision-making process concerning a matter involving the conflict of interest. A knowing violation of this section shall be a misdemeanor.

INDEX OF ADDITIONAL CONFLICTS OF INTEREST STATUTES

Idaho Code § 16-106	Duties of coordinating council.
Idaho Code § 19-871	Appointment of additional counsel.
Idaho Code § 19-5109	Powers of the council Standards of training, education and employment of peace officers Certification Penalties.
Idaho Code § 20-236	Board of Corrections Members or employees of board not to be interested in contracts.
Idaho Code § 20-804	Authority of county or city to house prisoners in a private prison facility.
Idaho Code § 22-436	Seed arbitration.
Idaho Code § 23-211	Liquor Dispensary Personnel not be to interested in private liquor traffic.
Idaho Code § 31-807A	County Commissioners Purchase and Sale of County Property.
Idaho Code § 31-2606	Prosecuting Attorneys Prohibited Acts.
Idaho Code § 31-2806	Coroner to act as substitute for sheriff.
Idaho Code § 31-4905	Conflict of interest prohibited.
Idaho Code § 33-1208	Revocation, suspension or denial of certificate rounds.
Idaho Code § 33-1254	Professional codes and standards Adoption - Publication.
Idaho Code § 31-4505	County Commissioner Pollution Control Financing.
Idaho Code § 31-4905	Regional Disposal Districts District Board.

Idaho Code § 33-2106	Junior Colleges, Trustees of Junior College Districts.
Idaho Code § 33-2120	Junior Colleges Dormitory Housing Projects.
Idaho Code § 33-3004	Idaho State University.
Idaho Code § 33-3403	Idaho School for the Deaf and Blind.
Idaho Code § 39-1328	Organization of board Seal Duties of treasurer Compensation of members Financial statement.
Idaho Code § 39-1446	Organization meeting – Chairman Executive director Surety bond and conflict of interest.
Idaho Code § 39-5603	Standards for provision of personal assistance services.
Idaho Code § 39-6607	Organization.
Idaho Code § 39-7408B	Site review panels Members, chairman, quorum, meetings, staff.
Idaho Code § 39-7908	Site review panels established.
Idaho Code § 40-409	Turnpikes.
Idaho Code § 40-612	County CommissionersCommissioner not to have interest in highway contracts.
Idaho Code § 41-208	Department of Insurance Director.
Idaho Code § 41-4937	Petroleum clean water trust fund Plan Management.
Idaho Code § 42-1757	Water Resource Board.
Idaho Code § 42-3209	Organization of board Accounts of treasurer Compensation of members Annual audit Removal of directors.

Idaho Code § 42-5227	Ground Water DistrictsDirectors and Officers.				
Idaho Code § 43-320	Irrigation DistrictsDirectors and Officers.				
Idaho Code § 50-2017	Municipal CorporationsUrban Renewal.				
Idaho Code § 50-2705	Municipal Corporations Industrial development program.				
Idaho Code § 54-829	Board of Cosmetology Affiliations of members with schools of cosmetology or company selling cosmetic supplies.				
Idaho Code § 54-909	Board of Dentistry.				
Idaho Code § 54-1202	Definitions.				
Idaho Code § 54-1525	OptometristsReferrals by optical firms prohibited.				
Idaho Code § 54-1720	Other duties Powers Authority.				
Idaho Code § 54-1806A	Board of Profession Disciplinephysicians and surgeons.				
Idaho Code § 61-207	Public Utilities Commission.				
Idaho Code § 63-3802	Members.				
Idaho Code § 66-119	Department of Health and WelfareState Hospitals.				
Idaho Code § 67-1406	Employment of attorneys restricted Exemptions.				
Idaho Code § 67-4713	Department of CommerceTravel and Convention Industry Council.				
Idaho Code § 67-4909	Organization of board Accounts of treasurer Compensation of members Annual audit Removal of directors.				

Idaho Code § 67-5252	Presiding officer Disqualification.				
Idaho Code § 67-5726	Prohibitions.				
Idaho Code § 67-6221	Housing and Finance Association.				
Idaho Code § 67-6407	Conflict of interest.				
Idaho Code § 67-6506	Conflict of interest prohibited.				
Idaho Code § 67-7405	Commission – Appointment Chairman.				
Idaho Code § 67-7443	Conflict of interest.				
Idaho Code § 67-7704	Bingo-Raffle advisory board Members Appointment Qualifications.				
Idaho Code § 68-108	Power of court to permit deviation or to approve transactions involving conflict of interest.				
Idaho Code § 70-1410	Port Districts				
Idaho Code § 70-2105	Port Districts Economic Development Financing Act				

Number of Votes

PRESIDENTIAL ELECTOR: CERTIFICATE OF VOTE

Persons Voted for President



State Form 40654 (R5 / 8-12) Indiana Election Commission (IC 3-10-4-9)

We, the undersigned, duly elected and qualified as electors for the President and Vice-President of the United States of America for the respective terms beginning on the twentieth day of January 2017 in and for the State of Indiana, as appears by the annexed certificates mailed and delivered to us by the Governor of this State, its chief executive officer, having met and convened agreeably to the provisions of the law, in the chamber of the Indiana House of Representatives at Indianapolis, Indiana on the first Monday after the second Wednesday in December, 2016, being the 19th day of this month.

Do hereby certify, that being so assembled and duly organized, we proceeded to vote by ballot, and balloted first for President and then for Vice-President by distinct ballots.

We further certify that the following are two distinct lists, one of the votes for President and the other of the votes for Vice-President, so cast as aforesaid:

	11
Persons Voted for Vice-President	Number of Votes
MICHA	EL R. PENCE
Micha	EL R. TENCE
	ie Constitution of the United States, we have hereunto set our hands on
the first Monday after the second Wednesday in December, 2016, being	
Presidentia	al Electors
Signature of Elector	Signature of Elector Atrohem Reches
Printed Name of Elector	Printed Name of Elector
ChanlesLalilla	S STEPHANIE BECKLEY
Signature of Elector	Signature of Elector Alonald Z. Hayer
Printed Name of Elector	Printed Name of Elector
Ethan E. Manning	DONALD L. HAYES
Signature of Elector	Signature of Elector Doctor
Printed Name of Elector	Printed Name of Elector
Signature big Elector 1 1 1 1 11	Signature of Elector
Signature office W. M. Thell	Edwing Anusor
Printed Name of Elector	Printed Name of Elector F. Simcox
Signature of Elector M Item	Signature of Elector & Carrier II
Printed Name of Elector	Printed Name (Elector CAPOLINE)
Kevin M. Steen	AEFFECT F. OTHERS
Signature of Elector ()- Campbell	
Printed Name of Elector D. Campbell	WEST THE BYS STATES
TESTICAL PROPERTY OF THE PROPE	

2016 Indiana Candidate Guide



Published by the Indiana Election Division 302 West Washington Street Indiana Government Center South, Room E-204 Indianapolis, IN 46204-2743 (317) 232-3939 * (800) 622-4941 in Indiana FAX: (317) 233-6793

www.in.gov/sos/elections

Important Note about Using the 2016 Indiana Candidate Guide

This publication is not a legal document. It does not replace the Indiana Election Code. Every effort has been made to ensure the accuracy of the information contained in this publication. However, this Guide should be used only in conjunction with the election statutes.

If any inconsistency exists between this publication and the election statutes, the statutory language governs.

Most statements in this Guide are followed by a statutory cite, such as "IC 3-8-2-5." The "IC" stands for Indiana Code and the numbers following "IC" refer to the title, article, chapter, and section of an Indiana statute (e.g. "IC 3-8-2-5" means Indiana Code title 3, article 8, chapter 2, section 5).

Consult the online version of the Indiana Code and the 2016 print edition of the Indiana Election Code to check for changes or updates to the election statutes. Become familiar with the laws governing your candidacy and the office you seek. The current version of the Indiana Code is available on the Internet at http://iga.in.gov/legislative/laws/2015/ic.

The information in this Guide reflects Indiana law as of October 27, 2015. However, since election laws may be changed each year, **consult with your personal attorney** to make certain you know and understand the most current version of the law.

The Indiana Election Division cannot provide legal advice to you as a candidate. You must retain your own attorney. The Election Division cannot provide information concerning the specific duties or responsibilities of a local government office. For information on this subject, contact:

Association of Indiana Counties 101 West Ohio Street, # 1575 Indianapolis, IN 46204-2986 (317) 684-3710 www.indianacounties.org Indiana Association of Cities & Towns 125 W Market Street, Suite 240 Indianapolis, IN 46204 (317) 237-6200 www.citiesandtowns.org

Indiana Township Association 9090 E 131 Street Fishers, IN 46038 (317) 813-3240 www.indianatownshipassoc.org

Note about Lake County and Tippecanoe County Boards of Elections and Registration: Each county, with the exception of Lake County and Tippecanoe County, has a county election board. In Lake and Tippecanoe Counties, separate state statutes govern the organization of the county board of elections and registration. (IC 3-6-5.2 (Lake County); IC 3-6-5.4 (Tippecanoe County)) For Lake and Tippecanoe Counties, references in this Guide to a "county election board" (for candidate filing purposes for example), refers to the boards of elections and registration in Lake County and Tippecanoe County. References to circuit court clerk refer to the Lake County election director and the office of the Tippecanoe County board of elections and registration.

Please feel free to contact the Indiana Election Division with any questions about this Guide or information concerning candidates.

Indiana Election Division Staff 317.232.3939 or 1.800.622.4941 in Indiana www.in.gov/sos/elections

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Table of Contents

General Information	1
Parking	1
Election Forms	1
Voter Registration Information	2
State and Federal Election References	2
Placement on the Ballot	3
Campaign Related Violations and Enforcement	9
Campaign Finance Information	11
Federal Offices	13
President and Vice-President of the United States	13
United States Senator	19
United States Representative	25
Statewide Offices	31
Governor and Lieutenant Governor	31
Attorney General	38
Superintendent of Public Instruction	38
State Legislative Offices	45
Indiana State Senator	45
Indiana State Senator Indiana State Representative	46
maiana Gtate Representative	
Judicial Offices	s 53
Circuit Court Judge	53
Superior Court Judge	54
Non-Partisan Elections & Other Special Procedures	60
County Offices	63
Circuit Court Clerk	63
Other County Offices	64
Township Offices	77
Township Offices	77
School Board Offices	85
"Small Town" Offices	89
Precinct Committeemen & State Convention Delegates	99
2014 Vote for Secretary of State	101
Appendix – Candidate Forms	103

GENERAL INFORMATION

All state offices that receive election-related filings are located within a short distance of the intersection of West Washington Street and Capitol Avenue (the southeast corner of the State House lot). This section includes a list of references containing addresses, telephone numbers, and e-mail addresses for various federal and state entities mentioned in this Candidate Guide.

The Indiana Election Division is located on the second floor of the Indiana Government Center South (IGCS) Building, 302 West Washington Street, Indianapolis, Indiana. The IGCS building is located directly west of the State House on West Washington Street. The Election Division is open from 8:00 a.m. until 5:00 p.m. each business day.

The office of the Clerk of the Indiana House of Representatives and the Secretary of the Indiana Senate are located on the third floor of the State House (one floor above street level). The Clerk's office is adjacent to the House chamber on the east side of the third floor. After entering the House offices, go up one flight of stairs to Level 3-A. The Secretary's office is adjacent to the Senate chamber on the west side of the third floor. The Clerk's office and Secretary's office are open from 8:30 a.m. until 4:30 p.m.

The Office of the Inspector General is located at 315 West Ohio Street, Room 104, Indianapolis, Indiana. This office is open from 8:00 a.m. until 4:30 p.m.

The office of State Court Administration is located at 30 South Meridian Street, Suite 500 (in the first block south of Washington Street). This office is open from 8:30 a.m. until 4:30 p.m. each business day.

PARKING AND SECURITY

On-street parking is available on West Washington Street directly south of the State House. Cars parked in restricted spaces after 3:00 p.m. will be towed. Parking garages are also available.

Public access to the State House is on the north and west entrances. Public access to the Indiana Government Center South is on the Washington Street side. Weapons of any kind are prohibited.

ELECTION FORMS

Several candidate-related election forms are included in this Guide. On December 14-16, 2015, the Election Division will provide a copy of all election related forms to each circuit court clerk. These forms will then be available from county election board offices. However, please allow time for the circuit court clerk to arrange for the printing and delivery of copies of these forms following the December distribution date.

This Candidate Guide along with the candidate forms will also be available from the Election Division's office and on the Division's website at www.in.gov/sos/elections.

Indiana Code 3-5-4-8 provides that a person must use the most recent version of any form approved by the Indiana Election Division to comply with the election statutes.

IC 3-5-4-8(c) states that the election division, an election board, a circuit court clerk, a county voter registration office, or any other official responsible for receiving an election filing **shall reject** a filing that is not on the most recent version of a state prescribed form.

For this reason, it is CRITICALLY IMPORTANT to ensure that a candidate complies with Indiana Code 3-5-4-8 before filing a document required or permitted by the election code.

Each state prescribed form contains a state form number and a revision date, usually in the upper left or upper right corner of the form, for example: "SF 46439 (R6;11-11)." This provides a method to quickly determine which version of a form has been provided. For more information concerning the current version of any state prescribed election form, contact the Election Division.

IMPORTANT FILING DEADLINE INFORMATION

Indiana Code 3-5-4-1.9 provides that "Except as otherwise provided in [the state election laws, such as for campaign finance reports, for example]... an election board, a circuit court clerk... or any other official responsible for receiving a filing... **may not receive a filing** that is offered to be filed after a deadline for the filing..." This state law should be carefully noted when a filing is offered by, or on behalf of, a candidate.

IMPORTANT VOTER REGISTRATION INFORMATION

Candidates sometimes provide voter registration applications to potential voters. If the candidate accepts possession of a completed state or federal voter registration application, the candidate is responsible for completing the Certified Statement of Acceptance and ensuring that the completed application is received by the appropriate county voter registration office NO LATER THAN Noon the earlier of ten (10) days after acceptance or THE REGISTRATION DEADLINE for the PRIMARY ELECTION (close of business on April 4, 2016) or the GENERAL ELECTION (close of business on October 11, 2016). A candidate who recklessly fails to file the completed applications is subject to penalties under federal and state law.

STATE AND FEDERAL ELECTION REFERENCES

STATE AND FEDERAL ELECTION REFERENCES					
		State O	ffices		
Indiana Election Division Office of the Secretary of State Indiana Government Center South, E-204 302 West Washington Street Indianapolis, IN 46204 (317) 232-3939 * (800) 622-4941 www.in.gov/sos/elections Secretary of State Administrative Division 200 West Washington Street State House, Room 201 Indianapolis, IN 46204 (317) 232-6531 www.in.gov/sos		Inspector General State Ethics Commission 315 West Ohio Street, Room 104 Indianapolis, IN 46202 (317) 232-3850 www.in.gov/ethics		et, Room 104	
Principal Clerk Indiana House of Representatives State House, Room 3A-8 200 West Washington Street Indianapolis, IN 46204 (317) 232-9974 iga.in.gov		Principal Secretary Indiana State Senate State House, Room 3A-N 200 West Washington Street Indianapolis, IN 46204 (317) 232-9421 iga.in.gov		State Court Administration 30 South Meridian Street, Suite 500 Indianapolis, IN 46204-3466 (317) 232-2542 www.in.gov/judiciary	
		Federal (Offices		
U. S. Election Assistance Commission 1335 East West Hwy, Suite 4300 Silver Springs, MD 20910 (301) 563-3913 * (866) 747-1471 www.eac.gov	999 Was (800	leral Election Commission E Street, N.W. shington, D.C. 20463 O) 424-9530 * (202) 694-1100 w.fec.gov	House Standards of Official Conduct Committee 1015 Longworth HOB Washington, D.C. 20515 (202) 225-7103 ethics.house.gov		Secretary of the Senate Office of Public Records 220 Hart Office Building Washington, D.C. 20510
Political Parties					
Democratic State Central Committee 115 West Washington Street, Suite 1165 Indianapolis, IN 46204 (317) 231-7100 or (800) 223-3387 www.indems.org		Libertarian Party of Indiana 1111 East 54th Street, Suite 158 Indianapolis, IN 46220 (317) 920-1994 www.lpin.org		Republican State Central Committee 101 W. Ohio Street, Suite 2200 Indianapolis, IN 46204 (317) 635-7561 www.indgop.org	

PLACEMENT ON THE BALLOT

Candidate Challenges

The placement of any individual on the primary or general election ballot may be challenged if the individual has not complied with the requirements set forth for candidates under Indiana law.

Candidate challenges concerning individuals who file as candidates for federal, statewide, state legislative, or judicial offices, or the office of prosecuting attorney come before the Indiana Election Commission for resolution.

Candidate challenges concerning individuals who file as candidates for circuit court clerk, county offices, township offices, town offices, school board offices, precinct committeeman or state convention delegate come before the appropriate county election board for resolution.

Before the Indiana Election Commission or a county election board may consider a challenge to a candidate, a registered voter of the election district that the candidate seeks to represent or a county chairman of a major political party of a county in which any part of the election district is located must file a sworn statement with the Election Division or the county election board. The sworn statement must question the eligibility of the candidate to seek the office and set forth the facts known to the voter concerning this question. (IC 3-8-1-2) The CAN-1 form may be used for a candidate challenge. A CAN-1 is included under the *Candidate Forms* tab of this Guide.

There is one exception to the requirement that a registered voter or a county chairman of a major political party in the election district must file a candidate challenge. The secretary of state or a circuit court clerk must determine whether a sufficient number of valid signatures have been obtained to meet the requirements to nominate a candidate by petition. If the secretary of state or clerk determines, based on the certification of the signatures by the county voter registration office, that the petition does not have enough valid signatures to nominate the candidate(s) on the petition, the secretary of state or the clerk must deny the certification to the petitioners. An appeal of this denial can then be brought before the Commission or county election board by the candidate by filing the CAN-1 Form. (IC 3-8-1-2; IC 3-8-6-12)

The Indiana Election Commission or county election board must determine the validity of the candidate's filing. State law specifies the various deadlines before the primary election or general election by which a challenger must file a challenge with the Commission or board, and the deadlines by which the Commission or board must make this determination. (See IC 3-8-2-14 (primary candidates); IC 3-8-6-14 (independent and minor party candidates); IC 3-13-1-16.5 (candidates who fill "early ballot" vacancies); and IC 3-13-2-11 (candidates who fill "late ballot" vacancies); IC 3-8-2-14 (write-in candidates))

The Commission and county election boards will make every effort to notify candidates and other interested parties as promptly as possible when a challenge has been filed. However, due to the short period of time between the close of candidate filings and the printing of absentee ballots, the Commission or board may need to rely on informal methods such as telephone calls to give the best possible notice to these individuals. If a candidate appears before the Commission, and does not file a written objection concerning notice before the end of that meeting, any objection to notice is waived. (IC 3-8-2-18)

Except as described above for notice requirements, the Commission conducts its proceeding concerning candidate challenges in accordance with the State Administrative Orders and Procedures Act. (IC 4-21.5)

County election board meetings concerning candidate challenges are public meetings, for which notice must be given in accordance with the Open Door Law. (IC 5-14-1.5) Except for requirements set forth in the Open Door Law, county election boards are not required to follow specific procedures in conducting these meetings.

The Election Division cannot give legal advice or assistance to candidates who are challenged before the Commission or a county election board. The candidate must seek the advice and representation of a personal attorney in these cases.

If an attorney appears before the Election Commission regarding a candidate challenge, the Commission requests that the attorney file a notice of appearance with the Election Division prior to the meeting. The appearance form may be adapted from that used in judicial proceedings.

If a candidate or other interested party objects to the determination of the Commission or a county election board, the candidate or interested party may appeal the determination to an appropriate court for a decision in the same manner that other administrative decisions are appealed. An appeal from a decision of a county election board must be filed with the appropriate circuit court clerk not later than thirty (30) days after the election board makes the decision subject to the appeal (IC 3-6-5-34; 3-6-5.2-9; 3-6-5.4-10).

If a candidate selected to fill a ballot vacancy is subject to a candidate challenge, the candidate's name shall not be printed on the general election ballot until the Commission or a court resolves the challenge. (IC 3-13-1-16; IC 3-13-2-9)

Removal of Candidate for Statewide or State Legislative Office from the General Election Ballot

A different law applies concerning the removal of a candidate for a statewide or state legislative office from the general election ballot. A registered voter of the relevant election district may challenge the qualifications of a candidate to remove the candidate from the ballot. The challenge must:

- (1) be filed with the Election Division not later than 74 days before the general election;
- (2) be a sworn statement questioning the qualifications of the candidate; and
- (3) set forth the facts known by the challenger concerning this question.

The Indiana Election Commission shall conduct and conclude its hearing on the challenge within 3 business days after the challenge is filed with the Election Division. The Commission shall announce its determination not later than one (1) business day after the conclusion of the hearing. If the Commission does not announce its determination by this deadline, the Commission is considered to have dismissed the challenge.

A candidate may not be challenged under this procedure if:

- (1) the candidate was previously challenged using this procedure;
- (2) the challenge under this procedure would be for the same reasons as the previous challenge to the candidate; and
- (3) the Indiana Election Commission already has conducted a hearing on the challenge and made a final determination in favor of the candidate.

After the Commission has made a final determination of the challenge, the challenged candidate or the challenger may appeal the Commission's determination, including a dismissal due to the Commission's failure to make a determination by the deadline. An appeal must be filed directly with the Indiana Court of Appeals under the same terms, conditions, and standards that apply to other civil appeals.

In any event, at noon, 60 days before the election, any challenge that is pending before the Commission or the Court of Appeals is dismissed and the name of the challenged candidate may not be removed from the general election ballot, and another individual may not be named to replace the challenged candidate on the ballot, and all votes cast for the challenged candidate must be counted and reported under the name of the challenged candidate. (IC 3-8-8)

This law also places a time limit on candidate withdrawal for reasons other than disqualification or moving outside the election district that the candidate seeks to represent. (IC 3-8-7-28(b) and (c); 3-8-8-7 If a candidate attempts to withdraw as a candidate later than noon 60 days before the general election

for any other reason, the candidate may not be removed from the ballot, or replaced by another individual on the ballot. All votes cast for a candidate who attempts to withdraw later than noon 60 days before the general election are counted and reported under the name of the candidate.

If a candidate who attempted to withdraw later than noon 60 days before the general election: (1) receives the most votes at the general election; and (2) is determined to be disqualified as a candidate, a vacancy in the office occurs. The resulting vacancy shall be filled as if an eligible candidate of the same political party as the disqualified candidate had been elected, and in the manner otherwise provide by law (a caucus of precinct committeemen under IC 3-13-5 for a state legislative candidate, for example.) (IC 3-8-8-8)

Candidate Names and Nicknames

An individual filing as a primary election, convention, minor or independent, or write-in candidate must list the individual's name on the candidate filing in the same form as the individual wants the name to appear on the ballot and the candidate's name is permitted to appear on the ballot under IC 3-5-7. (IC 3-8-2-2.5; IC 3-8-2-7; IC 3-8-5-10.5; IC 3-8-6-5; IC 3-8-7-10; IC 3-10-2-15)

A candidate is only permitted to use certain "designations" for the form in which the candidate's legal name appears on the ballot.

To implement this requirement, a candidate's "designation" is defined as referring to the name, nickname, initial, abbreviation, or number used to identify the individual. However, a designation may not be a title or degree, or imply a title or degree. A candidate's "name" refers to any of the following: (1) the candidate's given name; (2) the candidate's surname; and (3) the candidate's middle name. (IC 3-5-7)

To determine a candidate's "legal name" for ballot placement purposes, the candidate's legal name is the name shown on the candidate's birth certificate. If a candidate takes another name through a judicial proceeding or uses a name after marriage in the manner described below, then the most recent name used after marriage or taken in the judicial proceeding is considered the candidate's legal name. If a candidate changes the candidate's legal name after a candidate is nominated, the candidate shall file a statement with the office where the candidate previously filed the declaration of candidacy or certificate of nomination setting forth: (1) the former legal name; (2) the current legal name; and (3) how the candidate's legal name was changed.

A candidate's legal name after marriage can be any one of the following: (1) the name appearing on the candidate's birth certificate (as in *Mary Jane Doe*, for example); (2) the name used by the candidate on the application for a marriage license, (as in *John Smith*, for example); or (3) any combination of the names that the candidate or the candidate's spouse used as applicants for the marriage license, (as in *Mary Jane Smith*, *Mary Doe Smith*, or *John Smith-Doe*, for example).

First Designation: Assume a candidate has the legal name of Judith Anne Smith with the nickname of Judy. The first designation used on the ballot may be any one of the following: (1) the candidate's legal given name (*Judith*); (2) the initial of the candidate's legal given name (*J*); (3) the candidate's legal middle name (*Anne*); (4) the initial of the candidate's legal middle name (*A*); or (5) the candidate's nickname (*Judy*).

Second Designation: The second designation used on the ballot may be any one of the following, without repeating any designation used as the first designation: (1) the candidate's legal middle name (*Anne*); (2) the initial of the candidate's legal middle name (*A*); (3) the candidate's nickname (*Judy*); or (4) the candidate's legal surname (*Smith*).

Third Designation: The third designation used on the ballot may be any one of the following, *without repeating any designation already used as the first or second designation*: (1) the candidate's nickname (*Judy*); or (2) the candidate's legal surname (*Smith*).

The following are examples of acceptable candidate name designations:

Judith Anne Smith
J. Anne Smith
Judith A. Smith
Judith Smith
Anne Smith
J.A. Smith
J. Smith
A. Smith
Judith (Judy) Anne Smith
Judy Smith

A candidate can use the candidate's legal surname after the third designation if the candidate did not use the legal surname as the second or third designation. A candidate can also use *Sr., Jr.*, or a numerical designation such as *II* or *III* after the candidate's legal surname.

A nickname used by a candidate on the ballot must:

- (1) be the nickname by which the candidate is commonly known;
- (2) not exceed twenty (20) characters in length; and
- (3) not imply a title or degree.

Unless the candidate uses the nickname as the first designation, the nickname must appear in parentheses. For example, *Judith (Judy) Anne Smith*.

EXAMPLES: A ballot listing of "John R. (Doc) Doe" would not be permitted since the nickname implies a title or degree. Likewise, a ballot listing would not be permitted if the selected nickname was NOT one by which the candidate was COMMONLY known. However, unless the candidate's filing is properly challenged regarding the candidate's name, and this issue brought before the Commission or a county election board for determination, the candidate's name will be placed on the ballot in the form used in the candidate's filing or certification.

Sometimes an individual may change his or her name after filing as a candidate. If the candidate wishes to change the candidate's legal name **before** absentee ballots are printed for the election, the candidate must file a statement with the office where the candidate's declaration of candidacy or certificate of nomination was filed. This statement must set forth the current and former name of the candidate, and indicate that the candidate has already filed a change of name request with the appropriate county voter registration office. After this statement is filed, the county election board will print ballots bearing the candidate's new name. (IC 3-8-7-25.5)

If a candidate's legal name is changed **after** absentee ballots are printed for an election and the candidate wishes the ballot changed to reflect the new name, the candidate must provide pasters to the county election board at the candidate's expense. If the candidate does not do so, the Election Division or county election board is not required to reprint ballots to reflect the new name. (IC 3-11-3-29)

Candidate Vacancies

There are several reasons why a "candidate vacancy" may occur on a primary or general election ballot. However, the procedures and deadlines for filling these vacancies vary considerably.

If No Candidate Runs In a Major Party Primary

On occasion, no candidate will file for the Democratic or Republican Party nomination to an office before a primary election. If this occurs, the vacancy may **not** be filled before the primary. (IC 3-13-1-2)

Immediately following the primary election, the political party may begin the process of filling the ballot vacancy. However, no political party is ever **required** to fill a ballot vacancy, even if an individual wishes to run as a candidate for the vacant nomination.

Candidate vacancies for U.S. Senate and statewide offices are filled by the state committee of the political party (IC 3-13-1-3). If a candidate vacancy exists for U.S. House or state legislative candidates, the state chairman of a political party calls a caucus of the precinct committeemen within the district. For judicial offices, the office of prosecuting attorney, county offices, township offices, or town offices, the county chairman calls a caucus of the precinct committeemen within the district. However, if the county committee has adopted a resolution to delegate this candidate vacancy filling authority to the county chairman (or to the chairman, vice-chairman, secretary, and treasurer of the county committee), then the candidate vacancy may be filled by direct appointment, without conducting a caucus. (IC 3-13-1-6; 3-13-1-7; 3-13-1-8)

If a chairman calls a caucus of the political party to fill a ballot vacancy, the chairman must employ a form (CAN-30) prescribed by the Indiana Election Division. Instructions are included on the form. A CAN-30 is available from the Election Division's office and each circuit court clerk's office.

A person who wishes to be selected by the caucus to fill a ballot vacancy for a federal, statewide, state legislative office, judicial office, or the office of prosecuting attorney must file a CAN-31 form with **both** the caucus chairman (or state committee chair for U.S. Senator or statewide offices) and the Election Division. A person who wishes to be selected by the caucus to fill a ballot vacancy for circuit court clerk, county offices, township offices, or town offices must file a CAN-31 form with **both** the caucus chairman and the county election board. (IC 3-13-1-10.5) A CAN-31 is available from the Election Division's office and each circuit court clerk's office, and included under the *Candidate Forms* tab of this Guide.

The deadline for the Democratic or Republican Party to conduct a political party caucus or to make a direct appointment to fill a vacancy existing on the general election ballot **resulting from a vacancy on the primary election ballot** is noon, Thursday June 30, 2016 (IC 3-13-1-2; IC 3-13-1-7)

After the political party fills this vacancy, the chairman must file a written certificate with the Election Division if the nomination is for a federal office (CAN-27 form), a state legislative office (CAN-28 form) or a judicial office, (CAN-29 form), or an office of prosecuting attorney (CAN-29 form). The chairman must file a certificate with the circuit court clerk if the nomination is for the office of circuit court clerk a county office, a township office or a town office. (CAN-29 form) The CAN-28 and CAN-29 forms are available from the Election Division's office or each circuit court clerk's office. The certificate must be filed no later than 12:00 noon, prevailing local time Tuesday, July 5, 2016. (IC 3-13-1-2; IC 3-13-1-7; IC 3-13-1-15)

Filling a Ballot Vacancy Due to the Death, Withdrawal or Disqualification of a Candidate

When a candidate dies, withdraws, or is disqualified under Indiana Code 3-8-1-5 due to a criminal conviction, or a court order issued under IC 3-8-7-29(d), the political party is permitted to fill the resulting vacancy IF it does so no later than thirty (30) days after the vacancy occurs. (IC 3-13-1-7)

The requirements discussed above for calling a caucus and filing a declaration of candidacy apply to filling this type of candidate vacancy. However, the political party chairman must file the certificate of candidate selection (CAN-28 or CAN-29 form) no later than three days (excluding Saturdays and Sundays) after the party fills the candidate vacancy. (IC 3-13-1-15) Special restrictions apply to statewide or state legislative candidates. (IC 3-8-8)

Late Vacancy Special Procedures

If a candidate dies, withdraws or is disqualified during the final 30 days before the election, state law provides special expedited procedures for filling the vacancy. In most cases, the state or county chairman of the political party of the county in which the greatest percentage of the population of the election district resides fills the candidate vacancy by direct appointment. (IC 3-13-2)

The same general procedures apply regarding the filing of a certificate of candidate selection in these cases. (IC 3-13-2-8)

If the political party fills a candidate vacancy during the final five (5) days before an election, state law does not require a county election board to reprint ballots or use pasters to include the name of the successor candidate on the ballot. (IC 3-11-3-29.5)

Libertarian Party Candidates

If a candidate vacancy exists following a Libertarian Party state or county convention, the party's state committee may fill the vacancy.

The Libertarian Party must fill a vacancy existing on the general election ballot resulting from a vacancy for an office nominated by that party at a state or county convention by Thursday, June 30, 2016. (IC 3-13-1-20)

At least 10 days before filling the candidate vacancy, the state chairman of the Libertarian Party must file a notice of intent to fill the vacancy with the official who will receive the certificate of candidate selection filing (the Indiana election division or a circuit court clerk). (IC 3-13-1-20)

Once the Libertarian Party fills a vacancy for federal, statewide, state legislative, or judicial offices, or the office of prosecuting attorney, the state chair and secretary must file a certificate of nomination with the Election Division. The Party must file the certificate no later than noon, Tuesday, July 5, 2016. (IC 3-13-1-20)

Once the Libertarian Party fills a vacancy for the office of circuit court clerk, county offices, township offices, or town offices, the county chair and secretary must file a certificate of nomination and the candidate's Statement of Economic Interest for Local and School Board Offices (CAN-12) with the county election board. The Party must file the certificate no later than noon, Tuesday, July 5, 2016. (IC 3-13-1-20)

If a vacancy occurs for any other reason, the same procedure applies, but the certificate must be filed no later than three days (excluding Saturdays and Sundays) after the selection of the candidate. (IC 3-13-1-20) Special procedures apply to candidate vacancies occurring within the final 30 days before the election and to statewide or state legislative candidates. (IC 3-13-2-12; IC 3-8-8)

Candidate Vacancies on a Petition of Nomination

If a candidate for federal, statewide, or state legislative offices does not affiliate with the Democratic Party, the Libertarian Party, or the Republican Party, and the candidate withdraws, dies, or is disqualified, the state chairman of the candidate's political party may fill the resulting candidate vacancy. The chairman can fill this vacancy at any time after a petition of nomination has been circulated or filed for certification by a county voter registration office by filing a statement with the Election Division. (IC 3-8-6-17) (CAN-40 form and CAN-20 form)

This statement must include the following:

- (1) The name of the individual who ceased to be a candidate.
- (2) The date and reason why the person ceased to be a candidate.
- (3) The name and written consent of the successor candidate.
- (4) If other individuals were also candidates on the same petition of nomination, the consent of each other candidate to the selection of the successor candidate.

For candidates nominated by petition for the office of circuit court clerk, county offices, township offices, or town offices, the county chairman must file the statement with the county election board. (IC 3-8-6-17)

The state or county chairman must file the statement no later than noon, Tuesday, July 5, 2016. The CAN-40 form and CAN-20 form are available from the Election Division's office or each circuit court clerk's office. (IC 3-8-6-17)

A similar procedure applies to filling candidate vacancies for individuals nominated by petition for "small" town offices with a population of less than 3,500. The town chairman of the party must file a certificate of candidate selection with the county election board no later than **12:00 noon, prevailing local time, Monday, August 29, 2016.** (IC 3-13-1-18)

Independent Candidates and Write-ins

An independent candidate may not include the name of any other candidate on the petition, unless the other candidate included on the petition is part of an independent ticket of candidates for President and Vice-President of the United States, or governor and lieutenant governor. (IC 3-8-6-4)

If a petition of nomination is circulated or filed by an independent candidate, another candidate may not be substituted on the petition of nomination. (IC 3-8-6-17)

Indiana law has no procedure for the replacement of a write-in or independent candidate.

CAMPAIGN RELATED VIOLATIONS AND ENFORCEMENT

A county election board may investigate and rule on questions concerning reported election law violations. If the county election board has substantial reason to believe that an election violation has or will occur, the board may conduct a hearing to resolve the issue. The county election board has the power to subpoena witnesses, and question those witnesses under oath. If, after affording due notice and an opportunity for a hearing, the county election board believes that an act constitutes or will constitute an election violation, the board may take whatever action it deems proper under the circumstances. This includes referring the matter to the attorney general for civil action or the county prosecuting attorney for criminal prosecution. (IC 3-6-5-31; 3-14-5-3)

Indiana law also requires that a county election board forward all voter challenge affidavits (PRE-4 forms) returned by precinct election officers following the close of the polls to the foreman of the grand jury when the jury is next in session and to forward photocopies of the affidavits to the Secretary of State. The grand jury is required to inquiry into the truth or falsity of the affidavits, and file a report of the results of its inquiry with the court. (IC 3-14-5-2) Exception: This procedure does not apply to affidavits solely concerning an individual who failed to provide additional documentation as a "first time" voter under IC 3-7-33-4.5 but has since provided this documentation. (IC 3-14-5-1)

Unless otherwise stated, Indiana election law provides that the following offenses are Level 6 felonies, which subject a person to up to two and one-half years of imprisonment, a \$10,000 fine, or both, upon conviction. The laws cited below should be studied carefully, since they may contain requirements or exemptions that are not set forth in detail in this summary.

- (1) Filing a declaration of candidacy or other similar document to place or remove a candidate from the ballot, knowing that any part of the document is falsely made. (IC 3-14-1-1)
- (2) Refusing to receive and record a declaration of candidacy or other similar document when presented in accordance with the election laws, or suppressing such a document that has been duly filed.(IC 3-14-1-1)
- (3) Using a government employer's property to solicit contributions, or advocate the election or defeat of a candidate or public question at any time, or to distribute campaign materials on government's real property during normal business hours. Class A misdemeanor for first offense. (IC 3-14-1-17)
- (4) Conspiring with a person to encourage an individual to submit a false registration application or to vote illegally. (IC 3-14-2-1)
- (5) Paying or accepting payment for applying for or casting an absentee ballot. (IC 3-14-2-1)
- (6) Paying or accepting payment for registering to vote or voting. (IC 3-14-2-1)
- (7) Soliciting a person known to be ineligible to vote to complete or submit an absentee ballot application. (IC 3-14-2-2.5)
- (8) Signing another person's name to an absentee ballot application that contains a false statement. (IC 3-14-2-3)
- (9) Signing another person's name to an absentee ballot application without writing on it the person's own name and address as an attesting witness. (IC 3-14-2-3)\
- (10) Knowingly making a false statement regarding one's name, residence, or voter identification number when signing a poll book or making an oral affirmation to a poll worker. (IC 3-14-2-11)
- (11) Hiring or soliciting a person to go into a precinct for the purpose of voting when the person hired or solicited is not a voter of the precinct. (IC 3-14-2-13)
- (12) Receiving from a voter a ballot prepared for voting, except by an inspector, county election board member, absentee voter board member, or a member of the voter's household or an individual designated as the attorney in fact for the voter, or an employee of the United States Postal Service or a bonded courier company when delivering an envelope containing an absentee ballot. (IC 3-14-2-16)
- (13) Delivering an absentee ballot to an election official that is not the ballot cast by the voter. (IC 3-14-2-16)
- (14) Interfering with a watcher. (IC 3-14-3-3)
- (15) Obstructing, interfering, or injuring an election officer or a voter in the exercise of the election officer's or voter's rights or duties or because the officer or voter has exercised the officer's or voter's rights or duties. (IC 3-14-3-4)
- (16) Failing to receive the vote of a legal voter. (IC 3-14-3-9)
- (17) Interfering with the secrecy of voting. (IC 3-14-3-11)
- (18) Inducing or persuading a voter to vote for a candidate, while acting as a precinct election officer or absentee voter board member. (IC 3-14-3-17)
- (19) Inducing or procuring a person to apply for or cast an absentee ballot or vote or refrain from voting for or against a candidate by giving, offering, or promising money or other property. (IC 3-14-3-19)
- (20) Receiving, accepting, requesting or soliciting money or other property to induce a voter to apply for or cast an absentee ballot or to vote or refrain from voting for or against a candidate or public question. (IC 3-14-3-20)
- (21) Conspiring to obtain property an individual would be entitled to receive as compensation for serving as an elected official by securing false or fraudulent absentee ballot applications or voter registration applications and to transport fraudulent voter registration applications or absentee ballot applications by private or commercial carrier operating entirely within Indiana. (IC 3-14-3-20.5)

(22) Intimidating, threatening, or coercing another person for voting or attempting to vote, urging or aiding another individual to vote or attempt to vote, or exercising any power or duty related to registration or voting. (IC 3-14-3-21.5)

See the *Election Administrator's Manual*, published by the Indiana Election Division, for information regarding other criminal violations of the election laws. See the *2016 Indiana Campaign Finance Manual*, published by the Indiana Election Division, for information regarding criminal violations of the campaign finance laws, and the county election board's authority to impose civil penalties for campaign finance related violations. See the *2016 Voter Registration Guidebook*, published by the Indiana Election Division, for information regarding criminal violations of the voter registration law.

CAMPAIGN FINANCE INFORMATION

Candidates may access the 2016 Indiana Campaign Finance Manual from the Indiana Election Division's office or the Division's website at www.campaignfinance.in.gov, along with the forms required for campaign finance filings with the Election Division and County Election Boards.

UNITED STATES PRESIDENT AND VICE PRESIDENT

Candidates for United States President and Vice President should contact the Federal Election Commission for information on campaign finance reporting requirements or visit www.fec.gov.

UNITED STATES SENATOR

Candidates for United States Senator should contact the Federal Election Commission for information on campaign finance reporting requirements or visit www.fec.gov. Candidates should contact the Office of the Secretary of the Senate for information on economic interest statement reporting requirements.

UNITED STATES REPRESENTATIVE

Candidates for United States Representative should contact the Federal Election Commission for information on campaign finance reporting requirements or visit www.fec.gov. Candidates should contact the House Standards of Official Conduct for information on economic interest statement reporting requirements.

GOVERNOR, LIEUTENANT GOVERNOR, ATTORNEY GENERAL, AND SUPERINTENDENT OF PUBLIC INSTRUCTION Candidates for any of the statewide offices file campaign finance documents with the Indiana Election Division and should contact the division for information on campaign finance reporting requirements or visit the Division's campaign finance website at www.campaignfinance.in.gov.

STATE LEGISLATIVE OFFICES

Candidates for any of the state legislative offices file campaign finance documents with the Indiana Election Division. Candidates should contact the division for information on campaign finance reporting requirements or visit the Division's campaign finance website at www.campaignfinance.in.gov.

JUDICIAL OFFICE AND PROSECUTING ATTORNEY

Candidates for these offices file the campaign finance documents with the county election board, and should contact the county election board for information on campaign finance reporting requirements.

CIRCUIT COURT CLERK AND COUNTY OFFICES

Candidates for these offices file the campaign finance documents with the county election board, and should contact the county election board for information on campaign finance reporting requirements.

TOWNSHIP OFFICES

Candidates for these offices file the campaign finance documents with the county election board, and should contact the county election board for information on campaign finance reporting requirements.

SCHOOL BOARD OFFICES

Candidates for these offices file the campaign finance documents with the county election board of the county where the greatest percentage of the school corporation resides, and should contact the county election board for information on campaign finance reporting requirements.

TOWN OFFICES

Candidates for these offices file the campaign finance documents with the county election board and should contact the county election board for information on campaign finance reporting requirements.

PRECINCT COMMITTEEMAN AND STATE CONVENTION DELEGATE

Indiana law does not require that precinct committeeman or state convention delegate candidates file campaign finance documents regardless of the amount of money candidates raise or spend.

FEDERAL OFFICES PRESIDENT AND VICE PRESIDENT OF THE UNITED STATES

A. Qualifications

Article 2, Section 1, Clause 5 of the United States Constitution provides that:

"No person except a natural-born citizen . . . shall be eligible to the office of President; neither shall any person be eligible to that office who shall not have attained to the age of thirty-five years and been fourteen years a resident within the United States."

B. Democratic and Republican Party Candidates Nominated at the Primary Election

A candidate may submit a declaration of candidacy and petition of nomination in person or by mail, and the declaration and petition are considered filed as of the DAY AND TIME THEY ARE FILED in the office of the Indiana Election Division. "Filing" occurs when the Election Division records the date and time the Division receives the document. (IC 3-5-2-24.5) A candidate may not submit a declaration or petition of nomination by facsimile transmission or electronic mail. (IC 3-5-4-1.7)

1. Declaration of Candidacy

Democratic and Republican Party candidates for the office of President will be placed on the ballot for a presidential preference vote at the primary election to be held on Tuesday, May 3, 2016. (IC 3-10-1-3)

A candidate for the nomination of President of the United States by the Democratic or Republican Party must file a declaration of candidacy with the Election Division or the office of the Secretary of State. (IC 3-8-3-1)

The declaration of candidacy form (CAN-7) is available from the Election Division's office, on the Division's website, and is included in this Guide under the *Candidate Forms* tab.

2. Petition of Nomination

The declaration of candidacy must be accompanied by a certified petition of nomination signed by at least 4,500 registered voters of the state, including at least 500 registered voters from each of Indiana's 9 congressional districts. (IC 3-8-3-2)

Each petition must request that the candidate's name be placed on the ballot at the primary election and must contain the following: (a) signature of each petitioner, (b) name of each petitioner printed legibly, and (c) residence mailing address of each petitioner. (IC 3-8-3-2)

A petition carrier is required to sign an affidavit at the bottom of each page of the petition prior to filing with the county voter registration office.

The county voter registration office in each county where a petitioner is registered must certify whether each petitioner is a registered voter in that county. This certification must accompany and be a part of the petition. If a county is a part of more than one congressional district, the certificate must indicate the number of petitioners from that county who reside in each congressional district. (IC 3-8-2-9)

The petition of nomination form (CAN-8) is available from the Election Division's office, on the Division's website, and is included in this Guide under the *Candidate Forms* tab.

Candidates or political party members may wish to contact county voter registration offices to coordinate the processing of nominating petitions. Some county offices prefer to process all petitions for a candidate at the same time, while others are willing to process partial submissions.

Sometimes a county voter registration office rejects a signature on a nominating petition because the individual who signed the petition is not a registered voter in the county.. Although a minor variation between the name or address of a petition signer and the name or address on the county voter registration records does not invalidate the signature, a substantial variation renders the signature invalid. Reasonable doubts must be resolved in favor of the signer of the petition. (IC 3-5-6)

3. Filing Requirements and Deadlines

A candidate may submit a petition of nomination for certification to the county voter registration office no earlier than Wednesday, January 6, 2016, and no later than 12:00 noon, local prevailing time, on Tuesday, January 26, 2016. (IC 3-8-3-4)

The presidential primary candidate may request that the county voter registration office return the original petitions to the candidate so that the candidate may file the certified petitions (along with the CAN-7 form) with the Election Division to be placed on the primary election ballot. (IC 3-8-3-4)

The declaration of candidacy and certified petitions must be filed with the Election Division no earlier than Wednesday, January 6, 2016, and no later than 12:00 noon, Indianapolis time, on Friday, February 5, 2016. (IC 3-8-3-1 and IC 3-8-3-5) A declaration of candidacy or certified petition presented after February 5, 2016 at 12:00 noon will not be accepted for filing.

4. Candidate Withdrawal Requirements

Primary Election Candidate Withdrawal

A candidate for President of the United States who filed with the Election Division a declaration of candidacy for the primary election may file written notice of candidate withdrawal with the Election Division certifying that the individual no longer wishes to be a candidate. A candidate must file this notice with the Election Division no later than 12:00 noon, Indianapolis time, Monday, February 8, 2016. (IC 3-8-2-20) Upon receipt of this notice, the Election Division will not certify that individual's name as a candidate for the primary election. (IC 3-8-2-21) Notice of candidate withdrawal presented after February 8, 2016 at 12:00 noon will not be accepted for filing.

The primary election candidate withdrawal form (CAN-10) is available from the Election Division's office, the Division's website, and is included in this Guide under the *Candidate Forms* tab.

NOTE: Individuals are selected to serve as national convention delegates at the state conventions of the Democratic and Republican parties. Candidates for presidential electors and alternate electors are nominated at the Democratic and Republican state conventions or in another manner provided by state political party rules. (IC 3-8-4-2) The names of candidates for national convention delegate or presidential elector do not appear on the ballot.

General Election Candidate Withdrawal or Other Vacancy

If the nominee of the Democratic Party or the Republican Party for President of the United States or Vice-President of the United States ceases to be a candidate before the nominee's ticket is officially certified, then that fact and the name and state of residence of the nominee's successor must be certified to the Election Division in the same manner as the original nominee. The name of the successor nominee shall be printed on all ballots. If the nominee ceases to be a candidate after the nominee's ticket has been officially certified, then that fact and the name and state of residence of the nominee's successor, shall be certified to the Election Division in the same manner as the original nominee. However, the ballots must reflect the original nominee's name. Any vote cast in the election for the original nominee is considered a vote cast for the successor. (IC 3-10-4-6)

NOTE: Individuals are selected to serve as national convention delegates at the state conventions of the Democratic and Republican parties. Candidates for presidential electors and alternate electors are nominated at the Democratic and Republican state conventions or in another manner provided by state political party rules. (IC 3-8-4-2) The names of candidates for national convention delegate or presidential elector do not appear on the ballot.

C. Libertarian Party Candidates

1. Filing Requirements

Libertarian Party presidential candidates are not placed on the primary election ballot for a presidential preference vote.

The Libertarian Party will nominate candidates for the office of United States President and Vice President at the Party's national convention. Candidates for this office should contact the Libertarian Party's state committee for information concerning any candidate filing requirements.

Libertarian Party candidates for the office of United States President and Vice President are **not** required to file declarations of candidacy with the Election Division. Instead, the Libertarian Party state chair and secretary will certify the Party's nominees to the Election Division.

NOTE: Individuals are selected to serve as national convention delegates at the state convention of the Libertarian Party. Candidates for presidential electors must be nominated at the Libertarian state convention or in another manner provided by state political party rules. (IC 3-8-4-2) The names of candidates for national convention delegate or presidential elector do not appear on the ballot.

2. General Election Candidate Withdrawal or Other Vacancy

If the nominee of the Libertarian Party for President of the United States or Vice-President of the United States ceases to be a candidate before the nominee's ticket is officially certified, then that fact and the name and state of residence of the nominee's successor must be certified to the election division in the same manner as the original nominee. The name of the successor nominee shall be printed on all ballots. If the nominee ceases to be a candidate after the nominee's ticket has been officially certified, then that fact and the name and state of residence of the nominee's successor, shall be certified to the Election Division in the same manner as the original nominee. However, the ballots must reflect the original nominee's name. Any vote cast in the election for the original nominee is considered a vote cast for the successor. (IC 3-10-4-6)

D. Minor Party and Independent Candidates

1. Filing Requirements

This section addresses the filing and petition requirements for a person who does not intend to affiliate with the Democratic, Libertarian or Republican Party, and who does not intend to be a write-in candidate.

A person who wishes to become an independent candidate or a candidate of a minor party not qualified to nominate candidates in a primary election or by political party convention, and who wishes be a candidate for the office of United States President or Vice President at the general election, must file a written consent to become a candidate (CAN-20 form) and a petition of nomination (CAN-19 form) with the Election Division. (IC 3-8-6-12; IC 3-8-6-14(a))

Each candidate nominated by petition of nomination must satisfy all statutory eligibility requirements for the office for which the candidate is nominated. (IC 3-8-6-14(b))

The written consent form (CAN-20) and petition of nomination form (CAN-19) are available from the Election Division's office, on the Division's website, and are included in this Guide under the *Candidate Forms* tab.

To be placed on the general election ballot, an independent or minor party candidate must obtain signatures of registered voters in the election district the candidate seeks to represent. A petition of nomination must be signed by the number of registered voters equal to 2% of the total votes cast for secretary of state in the 2014 general election **in the election district** the candidate seeks to represent. Any fraction in excess of a whole number is disregarded in computing this figure. (IC 3-8-6-3) Signatures on any petition of nomination must be those of registered voters of the state who reside in the district the candidate seeks to represent. (IC 3-8-6-2)

EXAMPLE: A candidate for the office of President of the United States must obtain signatures of registered voters equal to 2% of the total votes cast for secretary of state in the 2014 general election for the entire state or 26,699.

Circuit court clerks should have information on the votes cast in each precinct for the office of secretary of state in the 2014 general election to help determine the number of signatures required for a candidate seeking ballot placement by petition of nomination. A chart listing the 2% ballot access requirement for each county is included under the 2014 *Vote for Secretary of State* tab of this Guide.

For a petition of nomination to be considered valid, the county voter registration office in the county where the individual signing the petition is registered must certify whether each person who signs the petition is a registered voter at the residence listed in the petition at the time the county processes the petition and in the election district the candidate seeks to represent. This certification must accompany and be a part of the petition of nomination. (This certification is on the reverse side of the CAN-19 form.) (IC 3-8-6-8; 3-8-6-10; 3-8-6-11)

A petition carrier is required to sign an affidavit at the bottom of each page of the petition prior to filing with the county voter registration office.

The **first day** a candidate for the office of United States President and Vice President may submit the petition of nomination, accompanied by the written consent form (CAN-20) to the county voter registration office for certification is **Wednesday**, **January 6**, **2016** and the **DEADLINE** for filing is **12:00 noon**, **prevailing local time**, **Thursday**, **June 30**, **2016**. (IC 3-8-6-10; IC 3-8-6-12)

For candidates for the office of United States President or Vice President, once the county voter registration office certifies the petitions of nomination, these certified petitions along with the candidate's consent (CAN-20 form) must be filed with the Election Division. The **DEADLINE** for filing the petition of nomination (CAN-19), accompanied by the written consent form (CAN-20) with the Election Division is **12:00 noon, Indianapolis time, Friday, July 15, 2016.** (IC 3-8-6-10; IC 3-8-6-12) The county voter registration office must file the certified petitions of nomination with the Election Division. However, the candidate may request that the county voter registration office return the original petitions to the candidate so that the candidate may file the certified petitions (along with the CAN-20 form) with the Election Division to be placed on the general election ballot. (IC 3-8-6-10)

2. Nominating Petition Requirements

Candidates or political party members may wish to contact county voter registration offices to coordinate the processing of nominating petitions. Some county offices prefer to process all petitions for a candidate at the same time, while others are willing to process partial submissions.

Sometimes a county voter registration office rejects a signature on a nominating petition because the individual who signed the petition is not a registered voter in the county. Although a minor variation between the name or address of a petition signer and the name or address on the county voter registration records does not invalidate the signature, a substantial variation renders the signature invalid. Reasonable doubts must be resolved in favor of the signer of the petition. (IC 3-5-6)

3. Political Party Names

A candidate may not submit a petition of nomination requesting ballot placement for a political party whose name would result in voter confusion due to its similarity with another party's name. If the candidate declines to amend the petition to remove this confusion, the petition may be challenged, and shall be denied by the Indiana election commission, if the commission finds that the name is confusing. (IC 3-8-6-5.5)

4. General Election Candidate Withdrawal or Other Vacancy

If the nominee of a minor political party for President of the United States or Vice-President of the United States ceases to be a candidate before the nominee's ticket is officially certified, then that fact and the name and state of residence of the nominee's successor must be certified to the Election Division in the same manner as the original nominee. The name of the successor nominee shall be printed on all ballots. If the nominee ceases to be a candidate after the nominee's ticket has been officially certified, then that fact and the name and state of residence of the nominee's successor, shall be certified to the election division in the same manner as the original nominee. However, the ballots must reflect the original nominee's name. Any vote cast in the election for the original nominee is considered a vote cast for the successor. (IC 3-10-4-6; 3-8-6-17)

If a petition of nomination is submitted for an independent candidate for President of the United States and Vice-President of the United States, and that candidate ceases to be a candidate, another candidate may not be substituted on the petition of nomination. (IC 3-8-6-17(e))

E. Write-in Candidates

1. Filing Requirements

Indiana law provides that only votes for declared write-in candidates are counted. (IC 3-12-1-1.7(a))

A person who desires to be a write-in candidate for the office of United States President or Vice President in the general election on Tuesday, November 8, 2016 must file a declaration of intent to be a write-in candidate (CAN-3 form) with the Election Division. (IC 3-8-2-2.5)

The CAN-3 form is available from the Election Division's office, on the Division's website, and is included in this Guide under the *Candidate Forms* tab.

The first day a write-in candidate may file the CAN-3 form with the Election Division is **Wednesday**, **January 6, 2016** and the **DEADLINE** for filing is **12:00 noon**, **Indianapolis time**, **Tuesday**, **July 5, 2016**. (IC 3-8-2-2.5; IC 3-8-2-4; IC 3-8-2-5; IC 3-11-2-11.5)

2. Candidate Withdrawal Requirements

The **DEADLINE** for a person who files a declaration of intent to be a write-in candidate for the office of United States President or Vice President to file a written notice of candidate withdrawal with the Election Division is **12:00 noon**, **Indianapolis time**, **on Friday**, **July 15**, **2016**. (IC 3-8-7-28) Upon receipt of this notice, the Election Division will not certify that individual's name as a candidate for the general election. **Notice to withdraw candidacy presented after July 15**, **2016** at **12:00 noon will not be accepted for filing**.

The general election candidate withdrawal form (CAN-24) is available from the Election Division's office, on the Division's website, and is included in this Guide under the *Candidate Forms* tab.

3. Political Party Affiliation

If a write-in candidate for President of the United States or Vice-President of the United States claims affiliation with a political party: (1) that already has ballot access, (2) of a candidate who has previously filed a petition of nomination under IC 3-8-6, or (3) whose name would result in voter confusion due to its similarity with the name of the political party in (1) or (2), then a registered voter of the election district may question the validity of the filing under IC 3-8-1-2. The Indiana Election Commission shall determine the validity of the questioned filing. If the Commission determines that the candidate's stated party affiliation would result in voter confusion due to its similarity with another party's name, and the candidate declines to amend the declaration to remove this confusion, then the Commission shall deny the filing. (IC 3-8-2-12.5)

UNITED STATES SENATOR

A. Qualifications

Article 1, Section 3, Clause 3 of the United States Constitution provides that:

"No person shall be a senator who shall not have attained to the age of thirty years, and been nine years a citizen of the United States, and who shall not, when elected, be an inhabitant of that state for which he shall be chosen."

B. Democratic and Republican Party Candidates Nominated at the Primary Election

A candidate may submit a declaration of candidacy and petition of nomination in person or by mail and they are considered filed as of the DAY AND TIME THEY ARE FILED in the office of the Indiana Election Division. "Filing" occurs when the Election Division records the date and time that the document was file stamped by the Division, not when the document is received in the mail. (IC 3-5-2-24.5) A declaration or petition of nomination may not be submitted by facsimile transmission or email. (IC 3-5-4-1.7; IC 3-8-2-11)

Candidates for the office of United States Senator from the Democratic or Republican Party will be nominated at the primary election to be held on Tuesday, May 3, 2016. (IC 3-10-1-3)

1. Declaration of Candidacy

A candidate for the nomination of United States Senator by the Democratic or Republican Party must file a declaration of candidacy with the Election Division. (IC 3-8-2-5)

The declaration of candidacy form (CAN-2) is available from the Election Division's office, on the Division's website and is in this Guide under the *Candidate Forms* tab.

2. Petition of Nomination

The declaration of candidacy must be accompanied by a petition of nomination signed by at least 4,500 registered voters of the state, including at least 500 registered voters from each of Indiana's 9 congressional districts. (IC 3-8-2-8 and IC 3-8-2-9)

Each petition must request that the candidate's name be placed on the ballot at the primary election and must contain the following: (a) signature of each petitioner, (b) name of each petitioner printed legibly, and (c) residence mailing address of each petitioner. (IC 3-8-2-8 and IC 3-8-2-9)

The petition of nomination form (CAN-4) is available from the Election Division's office, on the Division's website, or in included in this Guide under the *Candidate Forms* tab.

A petition carrier is required to sign an affidavit at the bottom of each page of the petition prior to filing with the county voter registration office.

The county voter registration office in each county where a petitioner is registered must certify whether each petitioner is a registered voter in that county. This certification must accompany and be a part of the petition. If a county is a part of more than one congressional district, the certificate must indicate the number of petitioners from that county who reside in each congressional district. (IC 3-8-2-9)

A candidate may submit a petition for certification to the county voter registration office no earlier than Wednesday, January 6, 2016, and no later than 12:00 noon, local prevailing time, on Tuesday, February 2, 2016. (IC 3-8-2-8 and IC 3-8-2-10)

The candidate may request that the county voter registration office return the original petitions to the candidate so that the candidate may file the certified petitions (along with the CAN-2 form) with the Election Division to be placed on the primary election ballot. (IC 3-8-2-10)

3. Filing Requirements and Deadlines

The declaration of candidacy and certified petitions must be filed with the Election Division **no earlier** than Wednesday, January 6, 2016, and no later than 12:00 noon, Indianapolis time, on Friday, February 5, 2016. (IC 3-8-2-4, IC 3-8-2-5 and IC 3-8-2-8) A declaration of candidacy or certified petition filed after February 5, 2016 at 12:00 noon will not be considered valid.

4. Political Party Affiliation

Indiana Code 3-8-2-7 sets forth the standard for determining the political party affiliation of a candidate who files a declaration of candidacy for a primary election. The political party affiliation of the candidate is deemed to be:

- (1) the political party in whose primary in Indiana the candidate most recently voted; or
- (2) the political party of the county chair of the county in which the candidate resides who certifies that the candidate is a member of that political party.

5. Candidate Withdrawal Requirements

Primary Election Candidate Withdrawal

A candidate for United States Senator who filed with the Election Division a declaration of candidacy for the primary election, may file written notice of candidate withdrawal with the Election Division certifying that the individual no longer wishes to be a candidate. This notice must be filed with the Election Division **no later than 12:00 noon, Indianapolis time, Monday, February 8, 2016**. (IC 3-8-2-20) Upon receipt of this notice, the Election Division will **not** certify that individual's name as a candidate for the primary election (IC 3-8-2-21). **Notice of candidate withdrawal filed after February 8, 2016 at 12:00 noon will not be considered valid.**

The primary election candidate withdrawal form (CAN-10) is available from the Election Division's office, the Division's website, and is included in this Guide under the *Candidate Forms* tab.

General Election Candidate Withdrawal

After the primary, if the nominee for United States Senator desires to withdraw from the ballot for the general election, the nominee must file a written notice of candidate withdrawal with the Election Division. This notice must be filed with the Election Division **no later than 12:00 noon, Indianapolis time, on Friday, July 15, 2016**. (IC 3-8-7-28) Upon receipt of this notice, the Election Division will **not** certify that individual's name as a candidate for the general election. **Notice to withdraw candidacy filed after July 15, 2016 at 12:00 noon will not be considered valid.**

The general election candidate withdrawal form (CAN-24) is available from the Election Division's office, the Division's website, and is included in this Guide under the *Candidate Forms* tab.

C. Libertarian Party Candidates

1. Filing Requirements

Libertarian Party candidates are not nominated in a primary election, but are nominated by political party convention. (IC 3-8-4-10)

The Libertarian Party will nominate candidates for the office of United States Senator at the Party's state convention. Candidates for this office should contact the Libertarian Party's state committee for information concerning any candidate filing requirements.

Libertarian Party candidates for the office of United States Senator are **not** required to file declarations of candidacy with the Election Division. Instead, the Libertarian Party state chair and secretary must certify the Party's nominees to the Election Division no later than **12:00 noon**, **Indianapolis time**, **July 15**, **2016**.

Following a state convention, the chairperson and secretary of the convention or the state chairperson and secretary of the Libertarian Party shall file a certificate of nomination (CAN-23) with the Election Division no later than noon, **July 15, 2016.**

2. Candidate Withdrawal Requirements

If a nominee for United States Senator wishes to withdraw from the Libertarian Party ticket for the general election, the nominee must file a written notice of candidate withdrawal with the Election Division. The **DEADLINE** to file this notice with the Election Division is **12:00 noon, Indianapolis time, on Friday, July 15, 2016**. (IC 3-8-7-28) Upon receipt of this notice, the Election Division will not certify that individual's name as a candidate for the general election. **Notice to withdraw candidacy filed after July 15, 2016 at 12:00 noon will not be considered valid.**

The general election candidate withdrawal form (CAN-24) is available from the Election Division's office, on the Division's website, and is included in this Guide under the *Candidate Forms* tab.

D. Minor Party and Independent Candidates

1. Filing Requirements

This section addresses the filing and petition requirements for a person who does not intend to affiliate with the Democratic, Libertarian or Republican Party, and who does not intend to be a write-in candidate.

A person who wishes to become an independent candidate or a candidate of a minor party not qualified to nominate candidates in a primary election or by political party convention, and who wishes be a candidate for the office of United States Senator at the general election, must file a written consent to become a candidate (CAN-20 form) and a petition of nomination (CAN-19 form) with the Election Division. (IC 3-8-6-12; IC 3-8-6-14(a))

Each candidate nominated by petition of nomination must satisfy all statutory eligibility requirements for the office for which the candidate is nominated. (IC 3-8-6-14(b))

The written consent form (CAN-20) and petition of nomination form (CAN-19) are available from the Election Division's office, on the Division's website, and are included in this Guide under the *Candidate Forms* tab.

To be placed on the general election ballot, an independent or minor party candidate must obtain signatures of registered voters in the election district the candidate seeks to represent. A petition of nomination must be signed by the number of registered voters equal to 2% of the total votes cast for secretary of state in the 2014 general election **in the election district** the candidate seeks to represent. Any fraction in excess of a whole number is disregarded in computing this figure. (IC 3-8-6-3)

Signatures on any petition of nomination must be those of registered voters of the state who reside in the district the candidate seeks to represent. (IC 3-8-6-2)

EXAMPLE: A candidate for the office of United States Senator must obtain signatures of registered voters equal to 2% of the total votes cast for secretary of state in the 2014 general election for the entire state or 26,699.

For a petition of nomination to be considered valid, the county voter registration office in the county where the individual signing the petition is registered must certify whether each person who signs the petition is a registered voter at the residence listed in the petition at the time the county processes the petition and in the election district the candidate seeks to represent. This certification must accompany and be a part of the petition of nomination. (This certification is on the reverse side of the CAN-19 form.) (IC 3-8-6-10; IC 3-8-6-11)

A petition carrier is required to sign an affidavit at the bottom of each page of the petition prior to filing with the county voter registration office.

The **first day** a candidate for the office of United States Senator may submit the petition of nomination, accompanied by the written consent form (CAN-20) to the county voter registration office for certification is **Wednesday**, **January 6**, **2016** and the **DEADLINE** for filing is **12:00 noon**, **prevailing local time**, **Thursday**, **June 30**, **2016**. (IC 3-8-6-12)

For candidates for the office of United States Senator, once the county voter registration office certifies the petitions of nomination, these certified petitions along with the candidate's consent (CAN-20 form) must be filed with the Election Division. The **DEADLINE** for filing the petition of nomination (CAN-19), accompanied by the written consent form (CAN-20) with the Election Division is **12:00 noon**, **Indianapolis time**, **Friday**, **July 15**, **2016**. (IC 3-8-6-10; IC 3-8-6-12) The county voter registration office must file the certified petitions of nomination with the Election Division. However, the candidate for the office of United States Senator may request that the county voter registration office return the original petitions to the candidate so that the candidate may file the certified petitions (along with the CAN-20 form) with the Election Division to be placed on the general election ballot. (IC 3-8-6-10)

2. Nominating Petition Requirements

Candidates or political party members may wish to contact county voter registration offices to coordinate the processing of nominating petitions. Some county offices prefer to process all petitions for a candidate at the same time, while others are willing to process partial submissions.

Sometimes a county voter registration office rejects a signature on a nominating petition because the individual who signed the petition is not a registered voter in the county, or has changed the individual's address without notifying the county voter registration office. Although a minor variation between the name or address of a petition signer and the name or address on the county voter registration records does not invalidate the signature, a substantial variation renders the signature invalid. Reasonable doubts must be resolved in favor of the signer of the petition. (IC 3-5-6)

3. Political Party Names

A candidate may not submit a petition of nomination requesting ballot placement for a political party whose name would result in voter confusion due to its similarity with another party's name. If the candidate declines to amend the petition to remove this confusion, the petition may be challenged, and shall be denied by the Indiana election commission, if the commission finds that the name is confusing. (IC 3-8-6-5.5) A candidate must indicate whether the candidate is affiliated with any other candidate or group of candidates filing a petition under the same political party name. (IC 3-8-6-5)

4. Candidate Withdrawal Requirements

The **DEADLINE** for a person nominated by petition for the office of United States Senator who wishes to withdraw from the general election ballot to file a written notice of candidate withdrawal with the Election Division is than **12:00 noon**, **Indianapolis time**, **on Friday**, **July 15**, **2016**. (IC 3-8-7-28) Upon receipt of this notice, the Election Division will not certify that individual's name as a candidate for the general election. **Notice to withdraw candidacy filed after July 15**, **2016** at **12:00 noon will not be considered valid**.

The general election candidate withdrawal form (CAN-24) is available from the Election Division's office on the Division's website, and is included in this Guide under the *Candidate Forms* tab.

E. Write-in Candidates

1. Filing Requirements

Indiana law provides that only votes for declared write-in candidates are counted. (IC 3-12-1-1.7(a))

A person who desires to be a write-in candidate for the office of United States Senator in the general election on Tuesday, November 8, 2016 must file a declaration of intent to be a write-in candidate (CAN 3 form) with the Election Division. (IC 3-8-2-2.5)

The CAN-3 form is available from the Election Division's office, on the Division's website, and is included in this Guide under the *Candidate Forms* tab.

The **first day** a write-in candidate may file the CAN-3 form with the Election Division is **Wednesday**, **January 6**, **2016** and the **DEADLINE** for filing is **12:00 noon**, **Indianapolis time**, **Tuesday**, **July 5**, **2016**. (IC 3-8-2-2.5; IC 3-8-2-4; IC 3-8-2-5; IC 3-11-2-11.5)

2. Candidate Withdrawal Requirements

The **DEADLINE** for a person who files a declaration of intent to be a write-in candidate for the office of United States Representative to file a written notice of candidate withdrawal with the Election Division is **12:00 noon, Indianapolis time, on Friday, July 15, 2016**. (IC 3-8-7-28; IC 3-8-2-2.7) Upon receipt of this notice, the Election Division will not certify that individual's name as a candidate for the general election. **Notice to withdraw candidacy filed after July 15, 2016 at 12:00 noon will not be considered valid.**

The general election candidate withdrawal form (CAN-24) is available from the Election Division's office, on the Division's website, and is included in this Guide under the *Candidate Forms* tab.

3. Political Party Affiliation

A write-in candidate for statewide office may claim, on the candidate's declaration, affiliation with a political party other than the Democratic Party, the Libertarian Party, or the Republican Party (the parties whose nominee for Secretary of State of Indiana received at least 2% of the total votes cast in the most recent election for the office of Secretary of State (November 2014)). (IC 3-8-2-2.5)

If a write-in candidate claims affiliation with a political party: (1) that already has ballot access, (2) of a candidate who has previously filed a petition of nomination under IC 3-8-6, or (3) whose name would result in voter confusion due to its similarity with the name of the political party in (1) or (2), then a registered voter of the election district may question the validity of the filing under IC 3-8-1-2. The Indiana Election Commission shall determine the validity of the questioned filing.

If the Commission determines that the candidate's stated party affiliation would result in voter confusion due to its similarity with another party's name, and the candidate declines to amend the declaration to remove this confusion, then the Commission shall deny the filing. (IC 3-8-2-12.5)

UNITED STATES REPRESENTATIVE

A. Qualifications

Article 1, Section 2, Clause 2 of the United States Constitution provides that:

"No person shall be a representative who shall not have attained to the age of twenty-five years, and been seven years a citizen of the United States, and who shall not, when elected, be an inhabitant of that state in which he shall be chosen."

NOTE: There is no requirement that a candidate for United States Representative must reside within the *district* the candidate seeks to represent.

B. Democratic and Republican Party Candidates Nominated at the Primary Election

1. Filing Requirements

A candidate may submit a declaration of candidacy in person or by mail, and it is considered filed as of the DAY AND TIME IT IS FILED in the office of the Indiana Election Division. "Filing" occurs when the Election Division records the date and time that the document was file stamped by the Division, not when the document is received in the mail. (IC 3-5-2-24.5) A declaration may not be submitted by facsimile transmission or email. (IC 3-5-4-1.7; IC 3-8-2-11)

Candidates for the office of United States Representative from the Democratic or Republican Party will be nominated at the primary election to be held on Tuesday, May 3, 2016.

A candidate for the nomination for United States Representative by the Democratic or Republican Party must file a declaration of candidacy with the Election Division. (IC 3-8-2-5) (Petitions signed by registered voters are **NOT** required of Democratic or Republican Party candidates for United States Representative.)

The first day to submit a declaration of candidacy to the Election Division is Wednesday, January 6, 2016, and the DEADLINE to file is 12:00 noon, Indianapolis time, Friday, February 5, 2016. (IC 3-8-2-4; IC 3-8-2-5) A declaration of candidacy presented after February 5, 2016 at 12:00 noon will not be accepted for filing.

The declaration of candidacy form (CAN-2) is available from the Election Division's office, on the Division's website, and is included in this Guide under the *Candidate Forms* tab.

2. Political Party Affiliation

Indiana Code 3-8-2-7 sets forth the standard for determining the political party affiliation of a candidate who files a declaration of candidacy for a primary election. The political party affiliation of the candidate is deemed to be:

- (1) the political party in whose primary in Indiana the candidate most recently voted; or
- (2) the political party of the county chair of the county in which the candidate resides who certifies that the candidate is a member of that political party.

3. Candidate Withdrawal Requirements

Primary Election Candidate Withdrawal

A candidate for United States Representative who filed with the Election Division a declaration of candidacy for the primary election may file written notice of candidate withdrawal with the Election Division certifying that the individual no longer wishes to be a candidate. The **DEADLINE** to file this notice with the Election Division is **12:00 noon, Indianapolis time, Monday, February 8, 2016**. (IC 3-8-2-20) Upon receipt of this notice, the Election Division will **not** certify that individual's name as a candidate for the primary election. (IC 3-8-2-21) **Notice of candidate withdrawal presented after February 8, 2016 at 12:00 noon will not be accepted for filing.**

The primary election candidate withdrawal form (CAN-10) is available from the Election Division's office, on the Division's website, and is included in this Guide under the *Candidate Forms* tab.

General Election Candidate Withdrawal

After the primary, if a nominee for United States Representative wishes to withdraw from the ticket for the general election, the nominee must file a written notice of candidate withdrawal with the Election Division. The **DEADLINE** to file this notice with the Election Division is **12:00 noon, Indianapolis time, on Friday, July 15, 2016.** (IC 3-8-7-28) Upon receipt of this notice, the Election Division will **not** certify that individual's name as a candidate for the general election. **Notice to withdraw candidacy presented after July 15, 2016 at 12:00 noon will not be accepted for filing.**

The general election candidate withdrawal form (CAN-24) is available from the Election Division's office, on the Division's website, and is included in this Guide under the *Candidate Forms* tab.

C. Libertarian Party Candidates

1. Filing Requirements

Libertarian Party candidates are not nominated in a primary election, but are nominated by political party convention. (IC 3-8-4-10)

The Libertarian Party will nominate candidates for the office of United States Representative at the Party's state convention. Candidates for this office should contact the Libertarian Party's state committee for information concerning any candidate filing requirements.

Libertarian Party candidates for the office of United States Representative are **not** required to file declarations of candidacy with the Election Division. Instead, the Libertarian Party state chair and secretary must certify the Party's nominees to the Election Division no later than **12:00 noon**, **Indianapolis time**, **July 15**, **2016**. (IC 3-8-7)

Following a state convention, the chairperson and secretary of the convention or the state chairperson and secretary of the Libertarian Party shall file a certificate of nomination (CAN-23) with the Election Division no later than noon, **July 15, 2016.**

2. Candidate Withdrawal Requirements

If a nominee for United States Representative wishes to withdraw from the Libertarian Party ticket for the general election, the nominee must file a written notice of candidate withdrawal with the Election Division. The **DEADLINE** to file this notice with the Election Division is **12:00 noon, Indianapolis time, on Friday, July 15, 2016**. (IC 3-8-7-28) Upon receipt of this notice, the Election Division will not certify that individual's name as a candidate for the general election. **Notice to withdraw candidacy presented after July 15, 2016 at 12:00 noon will not be accepted for filing.**

The general election candidate withdrawal form (CAN-24) is available from the Election Division's office, on the Division's website, and is included in this Guide under the *Candidate Forms* tab.

D. Minor Party and Independent Candidates

1. Filing Requirements

This section addresses the filing and petition requirements for a person who does not intend to affiliate with the Democratic, Libertarian or Republican Party, and who does not intend to be a write-in candidate.

A person who wishes to become an independent candidate or a candidate of a minor party not qualified to nominate candidates in a primary election or by political party convention, and who wishes be a candidate for the office of United States Representative at the general election, must file a written consent to become a candidate (CAN-20 form) and a petition of nomination (CAN-19 form) with the Election Division. (IC 3-8-6-12; IC 3-8-6-14(a))

Each candidate nominated by petition of nomination must satisfy all statutory eligibility requirements for the office for which the candidate is nominated. (IC 3-8-6-14(b))

The written consent form (CAN-20) and petition of nomination form (CAN-19) are available from the Election Division's office, on the Division's website and are included in this Guide under the *Forms* tab.

To be placed on the general election ballot, an independent or minor party candidate must obtain signatures of registered voters in the election district the candidate seeks to represent. A petition of nomination must be signed by the number of registered voters equal to 2% of the total votes cast for secretary of state in the 2014 general election **in the election district** the candidate seeks to represent. Any fraction in excess of a whole number is disregarded in computing this figure. (IC 3-8-6-3) Signatures on any petition of nomination must be those of registered voters of the state who reside in the district the candidate seeks to represent. (IC 3-8-6-2)

EXAMPLE: A candidate for the office of United State Representative, District 2, must obtain signatures of registered voters equal to 2% of the total votes cast for secretary of state in the 2014 general election in the precincts that make up District 2.

Circuit court clerks should have information on the precinct votes for the office of secretary of state in the 2014 general election to help determine the number of signatures required for a candidate seeking ballot placement by petition of nomination. A chart listing the 2% ballot access requirement for each county is included under the 2014 Vote for Secretary of State tab of this Guide.

For a petition of nomination to be considered valid, the county voter registration office in the county where the individual signing the petition is registered must certify whether each person who signs the petition is a registered voter at the residence listed in the petition at the time the county processes the petition and in the election district the candidate seeks to represent. This certification must accompany and be a part of the petition of nomination. (This certification is on the reverse side of the CAN-19 form.) (IC 3-8-6-10; IC 3-8-6-11)

A petition carrier is required to sign an affidavit at the bottom of each page of the petition prior to filing with the county voter registration office.

The **first day** a candidate for the office of United States Representative may submit the petition of nomination, accompanied by the written consent form (CAN-20) to the county voter registration office for certification is **Monday**, **January 6**, **2016** and the **DEADLINE** for filing is **12:00 noon**, **prevailing local time**, **Thursday**, **June 30**, **2016**. (IC 3-8-6-12)

For candidates for the office of United States Representative, once the county voter registration office certifies the petitions of nomination, these certified petitions along with the candidate's consent (CAN-20 form) must be filed with the Election Division. The **DEADLINE** for filing the petition of nomination (CAN-19), accompanied by the written consent form (CAN-20) with the Election Division is **12:00 noon**, **Indianapolis time**, **Friday**, **July 15**, **2016**. (IC 3-8-6-10; IC 3-8-6-12) The county voter registration office must file the certified petitions of nomination with the Election Division. However, the candidate for the office of United States Representative may request that the county voter registration office return the original petitions to the candidate so that the candidate may file the certified petitions (along with the CAN-20 form) with the Election Division to be placed on the general election ballot. (IC 3-8-6-10)

2. Nominating Petition Requirements

Candidates or political party members may wish to contact county voter registration offices to coordinate the processing of nominating petitions. Some county offices prefer to process all petitions for a candidate at the same time, while others are willing to process partial submissions.

Sometimes a county voter registration office rejects a signature on a nominating petition because the individual who signed the petition is not a registered voter of the election district of the office sought by the candidate or has changed the individual's address without notifying the county voter registration office. Although a minor variation between the name or address of a petition signer and the name or address on the county voter registration records does not invalidate the signature, a substantial variation renders the signature invalid. Reasonable doubts must be resolved in favor of the signer of the petition. (IC 3-5-6)

3. Political Party Names

A candidate may not submit a petition of nomination requesting ballot placement for a political party whose name would result in voter confusion due to its similarity with another party's name. If the candidate declines to amend the petition to remove this confusion, the petition may be challenged, and shall be denied by the Indiana Election Commission, if the commission finds the name is confusing. (IC 3-8-6-5.5) A candidate must indicate whether the candidate is affiliated with any other candidate or group of candidates filing a petition under the same political party name. (IC 3-8-6-5)

4. Candidate Withdrawal Requirements

The **DEADLINE** for a person nominated by petition for the office of United States Representative who wishes to withdraw from the general election ballot to file a written notice of candidate withdrawal with the Election Division is than **12:00 noon, Indianapolis time, on Friday, July 15, 2016**. (IC 3-8-7-28) Upon receipt of this notice, the Election Division will not certify that individual's name as a candidate for the general election. **Notice to withdraw candidacy presented after July 15, 2016 at 12:00 noon will not be accepted for filing.**

The general election candidate withdrawal form (CAN-24) is available from the Election Division's office, on the Division's website, and is included in this Guide under the *Candidate Forms* tab.

E. Write-in Candidates

1. Filing Requirements

Indiana law provides that only votes for declared write-in candidates are counted. (IC 3-12-1-1.7(a))

A person who desires to be a write-in candidate for the office of United States Representative in the general election on Tuesday, November 8, 2016 must file a declaration of intent to be a write-in candidate (CAN 3 form) with the Election Division. (IC 3-8-2-2.5)

The CAN-3 form is available from the Election Division's office, on the Division's website, and is included in this Guide under the *Forms* tab.

The first day a write-in candidate may file the CAN-3 form with the Election Division is **Wednesday**, **January 6, 2016** and the **DEADLINE** for filing is **12:00 noon**, **Indianapolis time**, **Tuesday**, **July 5, 2016**. (IC 3-8-2-2.5; IC 3-8-2-4; IC 3-8-2-5; IC 3-11-2-11.5)

2. Candidate Withdrawal Requirements

The **DEADLINE** for a person who files a declaration of intent to be a write-in candidate for the office of United States Representative to file a written notice of candidate withdrawal with the Election Division is **12:00 noon, Indianapolis time, on Friday, July 15, 2016**. (IC 3-8-7-28) Upon receipt of this notice, the Election Division will not certify that individual's name as a candidate for the general election. **Notice to withdraw candidacy presented after July 15, 2016 at 12:00 noon will not be accepted for filing.**

The general election candidate withdrawal form (CAN-24) is available from the Election Division's office, on the Division's website, and is included in this Guide under the *Candidate Forms* tab.

3. Political Party Affiliation

A write-in candidate for statewide office may claim, on the candidate's declaration, affiliation with a political party other than the Democratic Party, the Libertarian Party, or the Republican Party (the parties whose nominee for Secretary of State of Indiana received at least 2% of the total votes cast in the most recent election for the office of Secretary of State (November 2014)). (IC 3-8-2-2.5)

If a write-in candidate claims affiliation with a political party: (1) that already has ballot access, (2) of a candidate who has previously filed a petition of nomination under IC 3-8-6, or (3) whose name would result in voter confusion due to its similarity with the name of the political party in (1) or (2), then a registered voter of the election district may question the validity of the filing under IC 3-8-1-2. The Indiana Election Commission shall determine the validity of the questioned filing. If the Commission determines that the candidate's stated party affiliation would result in voter confusion due to its similarity with another party's name, and the candidate declines to amend the declaration to remove this confusion, then the Commission shall deny the filing. (IC 3-8-2-12.5)

STATEWIDE OFFICES GOVERNOR LIEUTENANT GOVERNOR

A. Qualifications for Governor and Lieutenant Governor

IC 3-8-1-9 provides that:

"A candidate for the office of governor or lieutenant governor:

- (1) must have been a United States citizen for at least five (5) years before the election;
- (2) must have resided in the state for at least five (5) years before the election;
- (3) must be thirty (30) years old upon taking office; and
- (4) may not hold any other office of the United States or of this state upon taking office; as provided in Article 5, Sections 7 and 8 of the Constitution of the State of Indiana.

IC 3-8-1-1 provides that:

- "... (b) A person is not qualified to run for:
 - (1) A state office; . . .

unless the person is registered to vote in the election district the person seeks to represent not later than the deadline for filing the declaration or petition of candidacy or certificate of nomination."

IC 3-8-1-5 provides that:

Sec. 5. (a) This section does not apply to a candidate for federal office.

- (b) As used in this section, "felony" means a conviction in any jurisdiction for which the convicted person might have been imprisoned for more than one (1) year. However, the term does not include a conviction:
- (1) for which the person has been pardoned; or
- (2) that has been:
- (A) reversed;
- (B) vacated;
- (C) set aside;
- (D) not entered because the trial court did not accept the person's guilty plea; or (E) expunged under IC 35-38-9.
- (c) A person is disqualified from assuming or being a candidate for an elected office if:
- (1) the person gave or offered a bribe, threat, or reward to procure the person's election, as provided in Article 2, Section 6 of the Constitution of the State of Indiana;
- (2) the person does not comply with IC 5-8-3 because of a conviction for a violation of the federal laws listed in that statute;
- (3) in a:
- (A) jury trial, a jury publicly announces a verdict against the person for a felony;
- (B) bench trial, the court publicly announces a verdict against the person for a felony; or
- (C) guilty plea hearing, the person pleads guilty or nolo contendere to a felony;
- (4) the person has been removed from the office the candidate seeks under Article 7, Section 11 or Article 7, Section 13 of the Constitution of the State of Indiana;
- (5) the person is a member of the United States armed forces on active duty and prohibited by the United States Department of Defense from being a candidate; or
- (6) the person is subject to:
- (A) 5 U.S.C. 1502 (the Little Hatch Act); or
- (B) 5 U.S.C. 7321-7326 (the Hatch Act);
- and would violate either federal statute by becoming or remaining the candidate of a political party for nomination or election to an elected office or a political party office.
- (d) The subsequent reduction of a felony to a Class A misdemeanor under IC 35-50-2-7 or IC 35-38-1-1.5 after the:

- (1) jury has announced its verdict against the person for a felony;
- (2) court has announced its verdict against the person for a felony; or
- (3) person has pleaded guilty or nolo contendere to a felony; does not affect the operation of subsection (c).

B. Statement of Economic Interest

Candidates for Governor and Lieutenant Governor are required to file a statement of economic interest. (IC 3-8-1-33) **Candidates for these offices must file a statement of economic interest**: (1) before filing for placement on the primary election ballot; (2) before a certificate of nomination is filed following the state convention of the Democratic, Libertarian, or Republican party, (3) before a petition of nomination is filed for an independent or minor party candidate, (4) before a declaration of intent to be a write-in candidate is filed, or (5) before being appointed to fill a candidate vacancy under IC 3-13-1 or IC 3-13-2.

A candidate for governor or lieutenant governor must file a statement of economic interest with the Office of the Inspector General. (IC 4-2-6-8)

A candidate will receive a Certificate of Filing from the Inspector General. The candidate must supply a copy of this certificate to the Election Division before the Division can accept a candidate's filing. (IC 3-8-2-11)

The statement of economic interest form is available from the Office of the Inspector General. The Inspector General's contact information is listed under the *General Information* tab of this Guide.

C. Democratic and Republican Party Candidates for Governor Nominated at the Primary Election

A candidate for governor may submit a declaration of candidacy and petition of nomination in person or by mail and they are considered filed as of the DAY AND TIME THEY ARE FILED in the office of the Indiana Election Division. "Filing" occurs when the Election Division records the date and time that the document was received. (IC 3-5-2-24.5) A declaration or petition of nomination may not be submitted by facsimile transmission or electronic mail. (IC 3-5-4-1.7)

Candidates for the office of Governor from the Democratic or Republican Party will be nominated at the primary election to be held on Tuesday, May 3, 2016. (IC 3-10-1-3)

1. Declaration of Candidacy

A candidate for the nomination of Governor by the Democratic or Republican Party must file a declaration of candidacy with the Election Division. (IC 3-8-2-5)

The declaration of candidacy form (CAN-2) is available from the Election Division's office, on the Division's website and is in this Guide under the *Candidate Forms* tab.

2. Petition of Nomination

The declaration of candidacy must be accompanied by a certified petition of nomination signed by at least 4,500 registered voters of the state, including at least 500 registered voters from each of Indiana's 9 congressional districts. (IC 3-8-2-8 and IC 3-8-2-9)

Each petition must request that the candidate's name be placed on the ballot at the primary election and must contain the following: (a) signature of each petitioner, (b) name of each petitioner printed legibly, and (c) residence mailing address of each petitioner. (IC 3-8-2-8 and IC 3-8-2-9)

The petition of nomination form (CAN-25) and a declaration of candidacy form (CAN-2) are available from the Election Division's office, on the Division's website, or in included in this Guide under the *Candidate Forms* tab.

The county voter registration office in each county where a petitioner is registered must certify whether each petitioner is a registered voter in that county. This certification must accompany and be a part of the petition. If a county is a part of more than one congressional district, the certificate must indicate the number of petitioners from that county who reside in each congressional district. (IC 3-8-2-9)

A petition carrier is required to sign an affidavit at the bottom of each page of the petition prior to filing with the county voter registration office.

A candidate for governor may submit a petition for certification to the county voter registration office no earlier than Wednesday, January 6, 2016, and no later than 12:00 noon, local prevailing time, on Tuesday, February 2, 2016. (IC 3-8-2-8 and IC 3-8-2-10)

3. Filing Requirements and Deadlines

The declaration of candidacy and certified petitions must be filed with the Election Division **no earlier** than Wednesday, January 6, 2016, and **no later than 12:00 noon, Indianapolis time, on Friday, February 5, 2016**. (IC 3-8-2-4, IC 3-8-2-5 and IC 3-8-2-8) A declaration of candidacy or certified petition filed after February 5, 2016 at 12:00 noon will not be accepted for filing.

4. Candidate Withdrawal Requirements

Primary Election Candidate Withdrawal

A candidate for governor, who filed with the Election Division a declaration of candidacy for the primary election, may file written notice of candidate withdrawal with the Election Division certifying that the individual no longer wishes to be a candidate. This notice must be filed with the Election Division no later than 12:00 noon, Indianapolis time, Monday, February 8, 2016. (IC 3-8-2-20) Upon receipt of this notice, the Election Division will not certify that individual's name as a candidate for the primary election (IC 3-8-2-21). Notice of candidate withdrawal filed after February 8, 2016 at 12:00 noon will not be accepted for filing unless the candidate is disqualified under IC 3-8-1-5 or has moved from the election district the candidate sought to represent.

The primary election candidate withdrawal form (CAN-10) is available from the Election Division's office, the Division's website, and is included in this Guide under the *Candidate Forms* tab.

General Election Candidate Withdrawal

After the primary, if the nominee for governor desires to withdraw from the ballot for the general election, the nominee must file a written notice of candidate withdrawal with the Election Division. This notice must be filed with the Election Division no later than 12:00 noon, Indianapolis time, on Friday, July 15, 2016. (IC 3-8-7-28) Upon receipt of this notice, the Election Division will not certify that individual's name as a candidate for the general election. Notice to withdraw candidacy presented after July 15, 2016 at 12:00 noon will not be accepted for filing unless the candidate is disqualified under IC 3-8-1-5 or has moved from the election district the candidate sought to represent.

The general election candidate withdrawal form (CAN-24) is available from the Election Division's office, the Division's website, and is included in this Guide under the *Candidate Forms* tab.

D. Democratic and Republican Party Candidates for Lieutenant Governor

1. Filing Requirements

Candidates for the office of lieutenant governor from the Democratic or Republican Party will be nominated at their respective state conventions. (IC 3-8-4-2) A person wishing to become a candidate for the nomination to this office from the Democratic or Republican parties should contact their respective party's state headquarters concerning requirements for becoming a candidate.

2. Candidate Withdrawal Requirements

After the state convention, if a nominee for lieutenant governor desires to withdraw from the ticket for the general election, the nominee must file a written notice of candidate withdrawal with the Election Division. The **DEADLINE** for filing this notice with the Election Division **is 12:00 noon, Indianapolis time, on Friday, July 15, 2016.** (IC 3-8-7-28) Upon receipt of this notice, the Election Division will **not** certify that individual's name as a candidate for the general election. **Notice to withdraw candidacy presented after July 15, 2016 at 12:00 noon will not be accepted for filing.**

The general election candidate withdrawal form (CAN-24) is available from the Election Division's office, the Division's website, and is included in this Guide under the *Candidate Forms* tab.

E. Libertarian Party Candidates

1. Filing Requirements

The Libertarian Party will nominate candidates for the governor and lieutenant governor at the Party's state convention. (IC 3-8-4-10) A person wishing to become a candidate for the nomination to any of these offices should contact the Libertarian Party's state committee for information concerning any candidate filing requirements.

2. Candidate Withdrawal Requirements

If a nominee for a statewide office wishes to withdraw from the Libertarian Party ticket for the general election, the nominee must file a written notice of candidate withdrawal with the Election Division. The **DEADLINE** to file this notice with the Election Division is **12:00 noon**, **Indianapolis time**, **on Friday**, **July 15**, **2016**. (IC 3-8-7-28) Upon receipt of this notice, the Election Division will not certify that individual's name as a candidate for the general election. **Notice to withdraw candidacy presented after July 15**, **2016** at **12:00 noon will not be accepted for filing unless the candidate is disqualified under IC 3-8-1-5 or has moved from the election district the candidate sought to represent.**

The general election candidate withdrawal form (CAN-24) is available from the Election Division's office, on the Division's website, and is included in this Guide under the *Candidate Forms* tab.

F. Minor Party and Independent Candidates

1. Filing Requirements

This section addresses the filing and petition requirements for a person who does not intend to affiliate with the Democratic, Libertarian or Republican Party, and who does not intend to be a write-in candidate.

A person who wishes to become an independent candidate or a candidate of a minor party not qualified to nominate candidates in a primary election or by political party convention, and who wishes be a candidate for governor or lieutenant governor at the general election, must file a written consent to become a candidate (CAN-20 form) and a certified petition of nomination (CAN-19 form) with the Election Division. (IC 3-8-6-12 and IC 3-8-6-14(a))

The petition of a candidate for governor who files a petition of nomination to be placed on the general election ballot must include the name of a candidate for lieutenant governor. (IC 3-8-1-9.5)

Each candidate nominated by petition of nomination must satisfy all statutory eligibility requirements for the office for which the candidate is nominated, including the filing of a statement of economic interest. (IC 3-8-6-14(b))

The written consent form (CAN-20) and petition of nomination form (CAN-19) are available from the Election Division's office, on the Division's website, and are included in this Guide under the *Candidate Forms* tab.

To be placed on the general election ballot, an independent or minor party candidate must obtain signatures of registered voters in the election district the candidate seeks to represent. A petition of nomination must be signed by the number of registered voters equal to 2% of the total votes cast for secretary of state in the 2014 general election **in the election district** the candidate seeks to represent. Any fraction in excess of a whole number is disregarded in computing this figure. (IC 3-8-6-3) Signatures on any petition of nomination must be those of registered voters of the state who reside in the district the candidate seeks to represent. (IC 3-8-6-2)

EXAMPLE: A candidate for the office of Governor must obtain signatures of registered voters equal to 2% of the total votes cast for secretary of state in the 2014 general election for the entire state or 26,699.

For a petition of nomination to be considered valid, the county voter registration office in the county where the individual signing the petition is registered must certify whether each person who signs the petition is a registered voter at the residence listed in the petition at the time the county processes the petition and in the election district the candidate seeks to represent. This certification must accompany and be a part of the petition of nomination. (This certification is on the reverse side of the CAN-19 form.) (IC 3-8-6-10; IC 3-8-6-11)

A petition carrier is required to sign an affidavit at the bottom of each page of the petition prior to filing with the county voter registration office.

The **first day** a minor party or independent candidate for a governor or lieutenant governor may submit the petition of nomination, accompanied by the written consent form (CAN-20) to the county voter registration office for certification is **Wednesday**, **January 6**, **2016** and the **DEADLINE** for filing is **12:00 noon**, **prevailing local time**, **Thursday**, **June 30**, **2016**. (IC 3-8-6-12)

Once the county voter registration office certifies the petitions of nomination, the minor party or independent candidate for governor or lieutenant governor must file these certified petitions along with the candidate's consent (CAN-20 form) and receipt of filing of the statement of economic interest (as required under IC 3-8-1-33) with the Election Division. The **DEADLINE** for filing the certified petition of nomination (CAN-19), accompanied by the written consent form (CAN-20) with the Election Division is **12:00 noon, Indianapolis time, Friday, July 15, 2016**. (IC 3-8-6-10; IC 3-8-6-12) The county voter registration office must file the certified petitions of nomination with the Election Division. However, the candidate for a statewide office may request that the county voter registration office return the original petitions to the candidate so that the candidate may file the certified petitions (along with the CAN-20 form) with the Election Division to be placed on the general election ballot. (IC 3-8-6-10)

2. Nominating Petition Requirements

Candidates or political party members may wish to contact county voter registration offices to coordinate the processing of nominating petitions. Some county offices prefer to process all petitions for a candidate at the same time, while others are willing to process partial submissions.

Sometimes a county voter registration office rejects a signature on a nominating petition because the individual who signed the petition is not a registered voter in the county. Although a minor variation between the name or address of a petition signer and the name or address on the county voter registration records does not invalidate the signature, a substantial variation renders the signature invalid. Reasonable doubts must be resolved in favor of the signer of the petition. (IC 3-5-6)

3. Political Party Names

A candidate may not submit a petition of nomination requesting ballot placement for a political party whose name would result in voter confusion due to its similarity with another party's name. If the candidate declines to amend the petition to remove this confusion, the petition may be challenged, and shall be denied by the Indiana election commission if the commission finds that the name is confusing. (IC 3-8-6-5.5)

4. Candidate Withdrawal Requirements

The **DEADLINE** for a person nominated by petition for a statewide office who wishes to withdraw from the general election ballot to file a written notice of candidate withdrawal with the Election Division is than **12:00 noon, Indianapolis time, on Friday, July 15, 2016.** (IC 3-8-7-28) Upon receipt of this notice, the Election Division will not certify that individual's name as a candidate for the general election. **Notice to withdraw candidacy presented after July 15, 2016 at 12:00 noon will not be accepted for filing unless the candidate is disqualified under IC 3-8-1-5 or has moved from the election district the candidate sought to represent.**

The general election candidate withdrawal form (CAN-24) is available from the Election Division's office, on the Division's website, and is included in this Guide under the *Candidate Forms* tab.

G. Write-in Candidates

1. Filing Requirements

Indiana law provides that only votes for declared write-in candidates are counted. (IC 3-12-1-1.7(a))

A person who desires to be a write-in candidate for a statewide office in the general election on Tuesday, November 8, 2016 must file a declaration of intent to be a write-in candidate (CAN 3 form) with the Election Division. (IC 3-8-2-2.5)

The declaration of intent to be a write-in candidate for governor must include the name of a candidate for lieutenant governor. (IC 3-8-1-9.5)

The CAN-3 form is available from the Election Division's office, on the Division's website, and is included in this Guide under the *Candidate Forms* tab.

The first day a write-in candidate may file the CAN-3 form with the Election Division is **Wednesday**, **January 6, 2016** and the **DEADLINE** for filing is **12:00 noon**, **Indianapolis time**, **Tuesday**, **July 5, 2016**. (IC 3-8-2-2.5; IC 3-8-2-4; IC 3-8-2-5; IC 3-11-2-11.5)

2. Candidate Withdrawal Requirements

The **DEADLINE** for a person who files a declaration of intent to be a write-in candidate for a statewide office to file a written notice of candidate withdrawal with the Election Division is **12:00 noon**, **Indianapolis time**, **on Friday**, **July 15**, **2016**. (IC 3-8-7-28) Upon receipt of this notice, the Election Division will not certify that individual's name as a candidate for the general election. **Notice to withdraw candidacy presented after July 15**, **2016** at **12:00 noon will not be accepted for filing unless the candidate is disqualified under IC 3-8-1-5 or has moved from the election district the candidate sought to represent.**

The general election candidate withdrawal form (CAN-24) is available from the Election Division's office, on the Division's website, and is included in this Guide under the *Candidate Forms* tab.

3. Political Party Affiliation

A write-in candidate for statewide office may claim, on the candidate's declaration, affiliation with a political party other than the Democratic Party, the Libertarian Party, or the Republican Party (the parties whose nominee for Secretary of State of Indiana received at least 2% of the total votes cast in the most recent election for the office of Secretary of State (November 2014)). (IC 3-8-2-2.5)

If a write-in candidate claims affiliation with a political party: (1) that already has ballot access, (2) of a candidate who has previously filed a petition of nomination under IC 3-8-6, or (3) whose name would result in voter confusion due to its similarity with the name of the political party in (1) or (2), then a registered voter of the election district may question the validity of the filing under IC 3-8-1-2. The Indiana Election Commission shall determine the validity of the questioned filing. If the Commission determines that the candidate's stated party affiliation would result in voter confusion due to its similarity with another party's name, and the candidate declines to amend the declaration to remove this confusion, then the Commission shall deny the filing. (IC 3-8-2-12.5)

STATEWIDE OFFICES ATTORNEY GENERAL SUPERINTENDENT OF PUBLIC INSTRUCTION

A. Qualifications for Attorney General and Superintendent of Public Instruction

IC 3-8-1-10 provides that:

- "A candidate for the office of attorney general must:
 - (1) have resided in Indiana for at least two (2) years before the election; and
 - (2) have been admitted to the practice of law in Indiana for at least five (5) years upon taking office."

IC 3-8-1-10.5 provides that:

"A candidate for the office of **state superintendent of public instruction** must have resided in Indiana for at least two (2) years before the election."

IC 3-8-1-1 provides that:

- ". . . (b) A person is not qualified to run for:
 - (1) A state office; . . .

unless the person is registered to vote in the election district the person seeks to represent not later than the deadline for filing the declaration or petition of candidacy or certificate of nomination."

IC 3-8-1-5 provides that:

- Sec. 5. (a) This section does not apply to a candidate for federal office.
- (b) As used in this section, "felony" means a conviction in any jurisdiction for which the convicted person might have been imprisoned for more than one (1) year. However, the term does not include a conviction:
- (1) for which the person has been pardoned; or
- (2) that has been:
- (A) reversed;
 - (B) vacated:
- (C) set aside:
- (D) not entered because the trial court did not accept the person's guilty plea; or
 - (E) expunged under IC 35-38-9.
- (c) A person is disqualified from assuming or being a candidate for an elected office if:
- (1) the person gave or offered a bribe, threat, or reward to procure the person's election, as provided in Article 2, Section 6 of the Constitution of the State of Indiana;
- (2) the person does not comply with IC 5-8-3 because of a conviction for a violation of the federal laws listed in that statute;
- (3) in a:
- (A) jury trial, a jury publicly announces a verdict against the person for a felony;
- (B) bench trial, the court publicly announces a verdict against the person for a felony; or
- (C) guilty plea hearing, the person pleads guilty or nolo contendere to a felony;
- (4) the person has been removed from the office the candidate seeks under Article 7, Section 11 or Article 7, Section 13 of the Constitution of the State of Indiana;
- (5) the person is a member of the United States armed forces on active duty and prohibited by the United States Department of Defense from being a candidate; or
- (6) the person is subject to:
- (A) 5 U.S.C. 1502 (the Little Hatch Act); or
- (B) 5 U.S.C. 7321-7326 (the Hatch Act);
- and would violate either federal statute by becoming or remaining the candidate of a political party for nomination or election to an elected office or a political party office.
- (d) The subsequent reduction of a felony to a Class A misdemeanor under IC 35-50-2-7 or IC 35-

38-1-1.5 after the:

- (1) jury has announced its verdict against the person for a felony;
- (2) court has announced its verdict against the person for a felony; or
- (3) person has pleaded guilty or nolo contendere to a felony;

does not affect the operation of subsection (c).

B. Statement of Economic Interest

Candidates for statewide offices are required to file a statement of economic interest. (IC 3-8-1-33) Candidates for these offices must file a statement of economic interest: (1) before a certificate of nomination is filed following the state convention of the Democratic, Libertarian, or Republican party, (2) before a petition of nomination is filed for an independent or minor party candidate, (3) before a declaration of intent to be a write-in candidate is filed, or (4) before being appointed to fill a candidate vacancy under IC 3-13-1 or IC 3-13-2.

A candidate for attorney general or superintendent of public instruction must file a statement of economic interest with the Office of the Inspector General. (IC 4-2-6-8)

A candidate will receive a Certificate of Filing from the Inspector General. If you submit your statement online, you will receive an email confirmation. The candidate must supply a copy of this certificate or email confirmation to the Election Division before the Division can accept a candidate's filing. (IC 3-8-2-11)

The statement of economic interest form is available from the Office of the Inspector General. The Inspector General's contact information is listed under the *General Information* tab of this Guide.

C. Democratic and Republican Party Candidates

1. Filing Requirements

Candidates for the office of attorney general and superintendent of public instruction from the Democratic or Republican Party will be nominated at their respective state conventions. (IC 3-8-4-2) A person wishing to become a candidate for the nomination to any of these offices from the Democratic or Republican parties should contact their respective party's state headquarters concerning requirements for becoming a candidate.

Following a state convention, the chairman and the secretary of the state convention or the state chairman and state secretary of the political party holding the state convention shall file a certificate of nomination (CAN-23) with the Secretary of State no later than **12:00 noon**, **Indianapolis time**, **July 15**, **2016**.

2. Candidate Withdrawal Requirements

After the state convention, if a nominee for statewide office desires to withdraw from the ticket for the general election, the nominee must file a written notice of candidate withdrawal with the Election Division. The **DEADLINE** for filing this notice with the Election Division is **12:00 noon**, **Indianapolis time**, **on Friday**, **July 15**, **2016**. (IC 3-8-7-28) Upon receipt of this notice, the Election Division will **not** certify that individual's name as a candidate for the general election. **Notice to withdraw candidacy presented after July 15**, **2016** at **12:00** noon will not be accepted for filing unless the candidate is disqualified under IC 3-8-1-5 or has moved from the election district the candidate sought to represent.

The general election candidate withdrawal form (CAN-24) is available from the Election Division's office, the Division's website, and is included in this Guide under the *Candidate Forms* tab.

D. Libertarian Party Candidates

1. Filing Requirements

The Libertarian Party will nominate candidates for the statewide offices at the Party's state convention. (IC 3-8-4-10) A person wishing to become a candidate for the nomination to any of these offices should contact the Libertarian Party's state committee for information concerning any candidate filing requirements.

Following a state convention, the chairman or the secretary of the state convention or the state chairman and state secretary of the political party holding the state convention shall file a certificate of nomination (CAN-23) with the Secretary of State no later than 12:00 noon, Indianapolis time, July 15, 2016.

2. Candidate Withdrawal Requirements

If a nominee for a statewide office wishes to withdraw from the Libertarian Party ticket for the general election, the nominee must file a written notice of candidate withdrawal with the Election Division. The **DEADLINE** to file this notice with the Election Division is **12:00 noon, Indianapolis time, on Friday, July 15, 2016.** (IC 3-8-7-28) Upon receipt of this notice, the Election Division will not certify that individual's name as a candidate for the general election. **Notice to withdraw candidacy presented after July 15, 2016 at 12:00 noon will not be accepted for filing.**

The general election candidate withdrawal form (CAN-24) is available from the Election Division's office, on the Division's website, and is included in this Guide under the *Candidate Forms* tab.

E. Minor Party and Independent Candidates

1. Filing Requirements

This section addresses the filing and petition requirements for a person who does not intend to affiliate with the Democratic, Libertarian or Republican Party, and who does not intend to be a write-in candidate.

A person who wishes to become an independent candidate or a candidate of a minor party not qualified to nominate candidates in a primary election or by political party convention, and who wishes be a candidate for a statewide office at the general election, must file a written consent to become a candidate (CAN-20 form) and a petition of nomination (CAN-19 form) with the Election Division. (IC 3-8-6-12 and IC 3-8-6-14(a))

Each candidate nominated by petition of nomination must satisfy all statutory eligibility requirements for the office for which the candidate is nominated, including the filing of a statement of economic interest. (IC 3-8-6-14(b))

The written consent form (CAN-20) and petition of nomination form (CAN-19) are available from the Election Division's office, on the Division's website, and are included in this Guide under the *Candidate Forms* tab.

To be placed on the general election ballot, an independent or minor party candidate must obtain signatures of registered voters in the election district the candidate seeks to represent. A petition of nomination must be signed by the number of registered voters equal to 2% of the total votes cast for secretary of state in the 2014 general election **in the election district** the candidate seeks to represent.

Any fraction in excess of a whole number is disregarded in computing this figure. (IC 3-8-6-3) Signatures on any petition of nomination must be those of registered voters of the state who reside in the district the candidate seeks to represent. (IC 3-8-6-2)

EXAMPLE: A candidate for the office of Attorney General must obtain signatures of registered voters equal to 2% of the total votes cast for secretary of state in the 2014 general election for the entire state or 26.699.

For a petition of nomination to be considered valid, the county voter registration office in the county where the individual signing the petition is registered must certify whether each person who signs the petition is a registered voter at the residence listed in the petition at the time the county processes the petition and in the election district the candidate seeks to represent. This certification must accompany and be a part of the petition of nomination. (This certification is on the reverse side of the CAN-19 form.) (IC 3-8-6-10; IC 3-8-6-11)

A petition carrier is required to sign an affidavit at the bottom of each page of the petition prior to filing with the county voter registration office.

The **first day** a minor party or independent candidate for a statewide office may submit the petition of nomination, accompanied by the written consent form (CAN-20) to the county voter registration office for certification is **Wednesday**, **January 6**, **2016** and the **DEADLINE** for filing is **12:00 noon**, **prevailing local time**, **Thursday**, **June 30**, **2016**. (IC 3-8-6-12)

For a candidate for a statewide office, once the county voter registration office certifies the petitions of nomination, these certified petitions along with the candidate's consent (CAN-20 form) and receipt of filing of the statement of economic interest (as required under IC 3-8-1-33), must be filed with the Election Division. The **DEADLINE** for filing the petition of nomination (CAN-19), accompanied by the written consent form (CAN-20) with the Election Division is **12:00 noon, Indianapolis time, Friday, July 15, 2016**. (IC 3-8-6-10; IC 3-8-6-12) The county voter registration office must file the certified petitions of nomination with the Election Division. However, the candidate for a statewide office may request that the county voter registration office return the original petitions to the candidate so that the candidate may file the certified petitions (along with the CAN-20 form) with the Election Division to be placed on the general election ballot. (IC 3-8-6-10)

2. Nominating Petition Requirements

Candidates or political party members may wish to contact county voter registration offices to coordinate the processing of nominating petitions. Some county offices prefer to process all petitions for a candidate at the same time, while others are willing to process partial submissions.

Sometimes a county voter registration office rejects a signature on a nominating petition because the individual who signed the petition is not a registered voter in the county. Although a minor variation between the name or address of a petition signer and the name or address on the county voter registration records does not invalidate the signature, a substantial variation renders the signature invalid. Reasonable doubts must be resolved in favor of the signer of the petition. (IC 3-5-6)

3. Political Party Names

A candidate may not submit a petition of nomination requesting ballot placement for a political party whose name would result in voter confusion due to its similarity with another party's name. If the candidate declines to amend the petition to remove this confusion, the petition may be challenged, and the Indiana election commission shall deny the petition if the commission finds that the name is confusing. (IC 3-8-6-5.5)

4. Candidate Withdrawal Requirements

The **DEADLINE** for a person nominated by petition for a statewide office who wishes to withdraw from the general election ballot to file a written notice of candidate withdrawal with the Election Division is than **12:00 noon, Indianapolis time, on Friday, July 15, 2016.** (IC 3-8-7-28) Upon receipt of this notice, the Election Division will not certify that individual's name as a candidate for the general election. **Notice to withdraw candidacy presented after July 15, 2016 at 12:00 noon will not be accepted for filing unless the candidate is disqualified under IC 3-8-1-5 or has moved from the election district the candidate sought to represent.**

The general election candidate withdrawal form (CAN-24) is available from the Election Division's office, on the Division's website, and is included in this Guide under the *Candidate Forms* tab.

F. Write-in Candidates

1. Filing Requirements

Indiana law provides that only votes for declared write-in candidates are counted. (IC 3-12-1-1.7(a))

A person who desires to be a write-in candidate for a statewide office in the general election on Tuesday, November 8, 2016 must file a declaration of intent to be a write-in candidate (CAN 3 form) with the Election Division. (IC 3-8-2-2.5)

The CAN-3 form is available from the Election Division's office, on the Division's website, and is included in this Guide under the *Candidate Forms* tab.

The **first day** a write-in candidate may file the CAN-3 form with the Election Division is **Wednesday**, **January 6, 2016** and the **DEADLINE** for filing is **12:00 noon**, **Indianapolis time**, **Tuesday**, **July 5**, **2016**. (IC 3-8-2-2.5; IC 3-8-2-4; IC 3-8-2-5; IC 3-11-2-11.5)

2. Candidate Withdrawal Requirements

The **DEADLINE** for a person who files a declaration of intent to be a write-in candidate for a statewide office to file a written notice of candidate withdrawal with the Election Division is **12:00 noon**, **Indianapolis time**, **on Friday**, **July 15**, **2016**. (IC 3-8-7-28) Upon receipt of this notice, the Election Division will not certify that individual's name as a candidate for the general election. **Notice to withdraw candidacy presented after July 15**, **2016** at **12:00 noon will not be accepted for filing unless the candidate is disqualified under IC 3-8-1-5 or has moved from the election district the candidate sought to represent.**

The general election candidate withdrawal form (CAN-24) is available from the Election Division's office and on the Division's website. A CAN-24 is included in this Guide under the *Candidate Forms* tab.

3. Political Party Affiliation

A write-in candidate for statewide office may claim, on the candidate's declaration, affiliation with a political party other than the Democratic Party, the Libertarian Party, or the Republican Party (the parties whose nominee for Secretary of State of Indiana received at least 2% of the total votes cast in the most recent election for the office of Secretary of State (November 2014)). (IC 3-8-2-2.5)

If a write-in candidate claims affiliation with a political party: (1) that already has ballot access, (2) of a candidate who has previously filed a petition of nomination under IC 3-8-6, or (3) whose name would result in voter confusion due to its similarity with the name of the political party in (1) or (2), then a registered voter of the election district may question the validity of the filing under IC 3-8-1-2.

The Indiana Election Commission shall determine the validity of the questioned filing. If the Commission determines that the candidate's stated party affiliation would result in voter confusion due to its similarity with another party's name, and the candidate declines to amend the declaration to remove this confusion, then the Commission shall deny the filing. (IC 3-8-2-12.5)

STATE LEGISLATIVE OFFICES INDIANA STATE SENATOR INDIANA STATE REPRESENTATIVE

A. Qualifications

1. Indiana State Senator

IC 3-8-1-13 provides that:

"A candidate for the office of senator in the General Assembly must:

- (1) Be a United States citizen at the time of election;
- (2) Have resided in the state for at least two (2) years and in the senate district for at least one (1) year before the election; and
- (3) Be at least twenty-five (25) years old upon taking office; as provided in Article 4, Section 7 of the Constitution of the State of Indiana."

IC 3-8-1-1 provides that:

- "...(b) A person is not qualified to run for: ...
 - (2) A legislative office; . . .

unless the person is registered to vote in the election district the person seeks to represent not later than the deadline for filing the declaration or petition of candidacy or certificate of nomination."

IC 3-8-1-5 provides that:

- "Sec. 5. (a) This section does not apply to a candidate for federal office.
- (b) As used in this section, "felony" means a conviction in any jurisdiction for which the convicted person might have been imprisoned for more than one (1) year. However, the term does not include a conviction:
- (1) for which the person has been pardoned; or
- (2) that has been:
- (A) reversed:
 - (B) vacated;
- (C) set aside:
- (D) not entered because the trial court did not accept the person's guilty plea; or (E) expunged under IC 35-38-9.
- (c) A person is disqualified from assuming or being a candidate for an elected office if:
- (1) the person gave or offered a bribe, threat, or reward to procure the person's election, as provided in Article 2, Section 6 of the Constitution of the State of Indiana;
- (2) the person does not comply with IC 5-8-3 because of a conviction for a violation of the federal laws listed in that statute;
- (3) in a:
- (A) jury trial, a jury publicly announces a verdict against the person for a felony;
- (B) bench trial, the court publicly announces a verdict against the person for a felony; or
- (C) guilty plea hearing, the person pleads guilty or nolo contendere to a felony;
- (4) the person has been removed from the office the candidate seeks under Article 7, Section 11 or Article 7, Section 13 of the Constitution of the State of Indiana:
- (5) the person is a member of the United States armed forces on active duty and prohibited by the United States Department of Defense from being a candidate; or
- (6) the person is subject to:
- (A) 5 U.S.C. 1502 (the Little Hatch Act); or
- (B) 5 U.S.C. 7321-7326 (the Hatch Act);
- and would violate either federal statute by becoming or remaining the candidate of a political party for nomination or election to an elected office or a political party office.
- (d) The subsequent reduction of a felony to a Class A misdemeanor under IC 35-50-2-7 or IC 35-38-1-1.5 after the:

- (1) jury has announced its verdict against the person for a felony;
- (2) court has announced its verdict against the person for a felony; or
- (3) person has pleaded guilty or nolo contendere to a felony; does not affect the operation of subsection (c)."

2. Indiana State Representative

IC 3-8-1-14 provides that:

"A candidate for the office of representative in the General Assembly must:

- (1) Be a United States citizen at the time of the election:
- (2) Have resided in the state for at least two (2) years and in the house district for at least one (1) year before the election; and
- (3) Be at least twenty-one (21) years old upon taking office; as provided in Article 4, Section 7 of the Constitution of the State of Indiana."

IC 3-8-1-1 provides that:

- "... (b) A person is not qualified to run for: ...
 - (2) A legislative office; . . .

unless the person is registered to vote in the election district the person seeks to represent not later than the deadline for filing the declaration or petition of candidacy or certificate of nomination."

IC 3-8-1-5 provides that:

"Sec. 5. (a) This section does not apply to a candidate for federal office.

- (b) As used in this section, "felony" means a conviction in any jurisdiction for which the convicted person might have been imprisoned for more than one (1) year. However, the term does not include a conviction:
- (1) for which the person has been pardoned; or
- (2) that has been:
- (A) reversed;
 - (B) vacated;
 - (C) set aside;
 - (D) not entered because the trial court did not accept the person's guilty plea; or
 - (E) expunged under IC 35-38-9.
- (c) A person is disqualified from assuming or being a candidate for an elected office if:
- (1) the person gave or offered a bribe, threat, or reward to procure the person's election, as provided in Article 2, Section 6 of the Constitution of the State of Indiana;
- (2) the person does not comply with IC 5-8-3 because of a conviction for a violation of the federal laws listed in that statute;
- (3) in a:
- (A) jury trial, a jury publicly announces a verdict against the person for a felony;
- (B) bench trial, the court publicly announces a verdict against the person for a felony; or
- (C) guilty plea hearing, the person pleads guilty or nolo contendere to a felony;
- (4) the person has been removed from the office the candidate seeks under Article 7, Section 11 or Article 7, Section 13 of the Constitution of the State of Indiana;
- (5) the person is a member of the United States armed forces on active duty and prohibited by the United States Department of Defense from being a candidate; or
- (6) the person is subject to:
- (A) 5 U.S.C. 1502 (the Little Hatch Act); or
- (B) 5 U.S.C. 7321-7326 (the Hatch Act);

and would violate either federal statute by becoming or remaining the candidate of a political party for nomination or election to an elected office or a political party office.

- (d) The subsequent reduction of a felony to a Class A misdemeanor under IC 35-50-2-7 or IC 35-38-1-1.5 after the:
- (1) jury has announced its verdict against the person for a felony;
- (2) court has announced its verdict against the person for a felony; or
- (3) person has pleaded guilty or nolo contendere to a felony; does not affect the operation of subsection (c)."

B. Statement of Economic Interest

Most copies of legislative candidate economic interest statements are available for public inspection and copying (subject to payment of a photocopying fee) at Legislative Information Center, 200 West Washington Street, Room 230, Indianapolis, Indiana 46204. The Secretary of the Senate and the Principal Clerk of the House of Representatives retain economic interest statement filings for the previous calendar year in their offices.

1. Indiana State Senator

A candidate for state senator must file a statement of economic interest with the Principal Secretary of the Indiana State Senate. (IC 2-2.2-2-2)

The Statement covers the economic activity for the previous year. Therefore, state senate candidates running for office in 2016 must file a statement of economic interest covering their economic activity for 2015.

State senate candidates must file an original statement of economic interest in person or by mail. The Principal Secretary will not accept faxed or photocopied statements of economic interest.

The office hours for the Principal Secretary's office are 8:30 a.m. - 4:30 p.m., Monday through Friday. The first date a state senate candidate may file a statement of economic interest is January 4, 2016. The statement of economic interest form is available from the Indiana State Senate.

Before accepting a declaration of candidacy or other similar filings, the Election Division will require a receipt, photocopy of a receipt or a copy of the statement file stamped by the Office of the Secretary of the Senate verifying that the statement of economic interest and other prerequisite filings have been completed. (IC 3-8-2-11)

2. Indiana State Representative

A candidate for state representative must file a statement of economic interest with the Principal Clerk of the Indiana House of Representatives. (IC 2-2.2-2-2)

The Statement covers the economic activity for the previous year. Therefore, state representative candidates running for office in 2016 must file a statement of economic interest covering their economic activity for 2015.

State representative candidates must file an original statement of economic interest in person or by mail. The Principal Clerk will not accept faxed or photocopied statements of economic interest.

The office hours for Principal Clerk's office are 8:30 a.m. - 4:30 p.m., Monday through Friday. The first date a state representative candidate may file a statement of economic interest is January 4, 2016. The statement of economic interest form is available from the Indiana House of Representatives.

The Election Division will require a receipt, photocopy of a receipt or a copy of the statement filed stamped by the Office of the Clerk of the House verifying that the statement of economic interest and other prerequisite filings have been completed. (IC 3-8-2-11)

C. Democratic and Republican Party Candidates Nominated at the Primary Election

1. Filing Requirements

A candidate may submit a declaration of candidacy in person or by mail and is considered filed as of the DAY AND TIME IT IS FILED in the office of the Indiana Election Division. "Filing" occurs when the Election Division records the date and time that the document was file stamped by the Division, not when the document is received in the mail. (IC 3-5-2-24.5) A declaration may not be submitted by facsimile transmission or email. (IC 3-5-4-1.7)

Candidates for a state legislative office from the Democratic or Republican Party will be nominated at the primary election to be held on Tuesday, May 3, 2016.

A candidate for the nomination for a state legislative office by the Democratic or Republican Party must file a declaration of candidacy with the Election Division. (IC 3-8-2-5) (Petitions signed by registered voters are **NOT** required of Democratic or Republican Party candidates for state legislative offices.)

The first day to submit a declaration of candidacy to the Election Division is Wednesday, January 6, 2016, and the DEADLINE to file is 12:00 noon, Indianapolis time, Friday, February 5, 2016. (IC 3-8-2-4; IC 3-8-2-5) A declaration of candidacy presented after February 5, 2016 at 12:00 noon will not be accepted for filing.

The declaration of candidacy form (CAN-2) is available from the Election Division's office, on the Division's website, and is included in this Guide under the *Candidate Forms* tab.

2. Political Party Affiliation

Indiana Code 3-8-2-7 sets forth the standard for determining the political party affiliation of a candidate who files a declaration of candidacy for a primary election. The political party affiliation of the candidate is deemed to be:

- (1) the political party in whose primary in Indiana the candidate most recently voted; or
- (2) the political party of the county chair of the county in which the candidate resides who certifies that the candidate is a member of that political party.

3. Candidate Withdrawal Requirements

Primary Election Candidate Withdrawal

A candidate for a state legislative office who filed with the Election Division a declaration of candidacy for the primary election, may file written notice of candidate withdrawal with the Election Division certifying that the individual no longer wishes to be a candidate. The **DEADLINE** to file this notice with the Election Division is **12:00 noon, Indianapolis time, Monday, February 8, 2016.** (IC 3-8-2-20) Upon receipt of this notice, the Election Division will **not** certify that individual's name as a candidate for the primary election (IC 3-8-2-21). **Notice of candidate withdrawal presented after February 8, 2016** at **12:00 noon will not be accepted for filing unless the candidate is disqualified under IC 3-8-1-5 or has moved from the election district the candidate sought to represent.**

The primary election candidate withdrawal form (CAN-10) is available from the Election Division's office, on the Division's website, and is included in this Guide under the *Candidate Forms* tab.

General Election Candidate Withdrawal

After the primary, if a nominee for a state legislative office wishes to withdraw from the ticket for the general election, the nominee must file a written notice of candidate withdrawal with the Election Division. The **DEADLINE** to file this notice with the Election Division is **12:00 noon, Indianapolis time, on Friday, July 15, 2016.** (IC 3-8-7-28) Upon receipt of this notice, the Election Division will **not** certify that individual's name as a candidate for the general election. **Notice to withdraw candidacy presented after July 15, 2016 at 12:00 noon will not be accepted for filing unless the candidate is disqualified under IC 3-8-1-5 or who has moved from the election district the candidate sought to represent.**

The general election candidate withdrawal form (CAN-24) is available from the Election Division's office, on the Division's website, and is included in this Guide under the *Candidate Forms* tab.

D. Libertarian Party Candidates

1. Filing Requirements

Libertarian Party candidates are not nominated in a primary election, but are nominated by political party convention. (IC 3-8-4-10)

The Libertarian Party will nominate candidates for state legislative offices at the Party's state convention. Candidates for these offices should contact the Libertarian Party's state committee for information concerning any candidate filing requirements.

Libertarian Party candidates for state legislative offices are **not** required to file declarations of candidacy with the Election Division. Instead, the Libertarian Party state chair and secretary shall certify the Party's nominees to the Election Division no later than **Noon**, **Indianapolis time**, **July 15**, **2016**. (IC 3-8-7-8)

Following a state convention, the chairperson and secretary of the convention or the state chairperson and secretary of the Libertarian Party must file a certificate of nomination (CAN-23) with the Election Division no later than Noon, Indianapolis time, July 15, 2016.

2. Candidate Withdrawal Requirements

If a nominee for a state legislative office wishes to withdraw from the Libertarian Party ticket for the general election, the nominee must file a written notice of candidate withdrawal with the Election Division. The **DEADLINE** to file this notice with the Election Division is **12:00 noon, Indianapolis time, on Friday, July 15, 2016**. (IC 3-8-7-28) Upon receipt of this notice, the Election Division will not certify that individual's name as a candidate for the general election. **Notice to withdraw candidacy presented after July 15, 2016 at 12:00 noon will not be accepted for filing unless the candidate is disqualified under IC 3-8-1-5 or has moved from the election district the candidate sought to represent.**

The general election candidate withdrawal form (CAN-24) is available from the Election Division's office, on the Division's website, and is included in this Guide under the *Candidate Forms* tab.

E. Minor Party and Independent Candidates

1. Filing Requirements

This section addresses the filing and petition requirements for a person who does not intend to affiliate with the Democratic, Libertarian or Republican Party, and who does not intend to be a write-in candidate. A person who wishes to become an independent candidate or a candidate of a minor party not qualified to nominate candidates in a primary election or by political party convention, and who wishes be a candidate for a state legislative office at the general election, must file a written consent to become a candidate (CAN-20 form) and a petition of nomination (CAN-19 form) with the Election Division. (IC 3-8-6-12 and IC 3-8-6-14(a))

Each candidate nominated by petition of nomination must satisfy all statutory eligibility requirements for the office for which the candidate is nominated, including the filing of a statement of economic interest. (IC 3-8-6-14(b))

The written consent form (CAN-20) and petition of nomination form (CAN-19) are available from the Election Division's office, on the Division's website, and are included in this Guide under the *Candidate Forms* tab.

To be placed on the general election ballot, an independent or minor party candidate must obtain signatures of registered voters in the election district the candidate seeks to represent. A petition of nomination must be signed by the number of registered voters equal to 2% of the total votes cast for secretary of state in the 2014 general election **in the election district** the candidate seeks to represent. Any fraction in excess of a whole number is disregarded in computing this figure. (IC 3-8-6-3) Signatures on any petition of nomination must be those of registered voters of the state who reside in the district the candidate seeks to represent. (IC 3-8-6-2)

EXAMPLE: A candidate for the office of State Representative, District 2, must obtain signatures of registered voters equal to 2% of the total votes cast for secretary of state in the 2014 general election in the precincts that make up District 2.

Circuit court clerks should have information on the precinct votes for the office of secretary of state in the 2014 general election to help determine the number of signatures required for a candidate seeking ballot placement by petition of nomination. A chart listing the 2% ballot access requirement for each county is included under the 2014 Vote for Secretary of State tab of this Guide.

For a petition of nomination to be considered valid, the county voter registration office in the county where the individual signing the petition is registered must certify whether each person who signs the petition is a registered voter at the residence listed in the petition at the time the county processes the petition and in the election district the candidate seeks to represent. This certification must accompany and be a part of the petition of nomination. (This certification is on the reverse side of the CAN-19 form.) (IC 3-8-6-10; IC 3-8-6-11)

A petition carrier is required to sign an affidavit at the bottom of each page of the petition prior to filing with the county voter registration office.

The **first day** a candidate for a state legislative office may submit the petition of nomination, accompanied by the written consent form (CAN-20) to the county voter registration office for certification is **Wednesday**, **January 8**, **2016** and the **DEADLINE** for filing is **12:00 noon**, **prevailing local time**, **Thursday**, **June 30**, **2016**. (IC 3-8-6-12)

For candidates for state legislative offices, once the county voter registration office certifies the petitions of nomination, these certified petitions along with the candidate's consent (CAN-20 form) and receipt or photocopy of a receipt of filing the statement of economic interest (as required under IC 3-8-1-33), must be filed with the Election Division.

The **DEADLINE** for filing the petition of nomination (CAN-19), accompanied by the written consent form (CAN-20) with the Election Division is **12:00 noon, Indianapolis time, Friday, July 15, 2016**. (IC 3-8-6-10; IC 3-8-6-12) The county voter registration office must file the certified petitions of nomination with the Election Division. However, the candidate for a state legislative office may request that the county voter registration office return the original petitions to the candidate so that the candidate may file the certified petitions (along with the CAN-20 form) with the Election Division to be placed on the general election ballot. (IC 3-8-6-10)

2. Nominating Petition Requirements

Candidates or political party members may wish to contact county voter registration offices to coordinate the processing of nominating petitions. Some county offices prefer to process all petitions for a candidate at the same time, while others are willing to process partial submissions.

Sometimes a county voter registration office rejects a signature on a nominating petition because the individual who signed the petition is not a registered voter of the election district of the office sought by the candidate. Although a minor variation between the name or address of a petition signer and the name or address on the county voter registration records does not invalidate the signature, a substantial variation renders the signature invalid. Reasonable doubts must be resolved in favor of the signer of the petition. (IC 3-5-6)

3. Political Party Names

A candidate may not submit a petition of nomination requesting ballot placement for a political party whose name would result in voter confusion due to its similarity with another party's name. If the candidate declines to amend the petition to remove this confusion, the petition may be challenged, and shall be denied by the Indiana Election Commission if the commission finds that confusion would exist. (IC 3-8-6-5.5) A candidate must indicate whether the candidate is affiliated with any other candidate or group of candidates filing a petition under the same political party name. (IC 3-8-6-5)

4. Candidate Withdrawal Requirements

The **DEADLINE** for a person nominated by petition for a state legislative office who wishes to withdraw from the general election ballot to file a written notice of candidate withdrawal with the Election Division is than **12:00 noon, Indianapolis time, on Friday, July 15, 2016.** (IC 3-8-7-28) Upon receipt of this notice, the Election Division will not certify that individual's name as a candidate for the general election. **Notice to withdraw candidacy presented after July 15, 2016 at 12:00 noon will not be accepted for filing unless the candidate is disqualified under IC 3-8-1-5.**

The general election candidate withdrawal form (CAN-24) is available from the Election Division's office, on the Division's website, and is included in this Guide under the *Candidate Forms* tab.

F. Write-in Candidates

1. Filing Requirements

Indiana law provides that only votes for declared write-in candidates are counted. (IC 3-12-1-1.7(a))

A person who desires to be a write-in candidate for a state legislative office in the general election on Tuesday, November 8, 2016 must file a declaration of intent to be a write-in candidate (CAN-3 form) with the Election Division. (IC 3-8-2-2.5)

The CAN-3 form is available from the Election Division's office, on the Division's website, and is included in this Guide under the *Candidate Forms* tab.

The first day a write-in candidate may file the CAN-3 form with the Election Division is **Wednesday**, **January 8, 2016** and the **DEADLINE** for filing is **12:00 noon**, **Indianapolis time**, **Tuesday**, **July 5**, **2016**. (IC 3-8-2-2.5; IC 3-8-2-4; IC 3-8-2-5; IC 3-11-2-11.5)

2. Candidate Withdrawal Requirements

The **DEADLINE** for a person who files a declaration of intent to be a write-in candidate for a state legislative office to file a written notice of candidate withdrawal with the Election Division is **12:00 noon**, **Indianapolis time**, **on Friday**, **July 15**, **2016**. (IC 3-8-7-28) Upon receipt of this notice, the Election Division will not certify that individual's name as a candidate for the general election. **Notice to withdraw candidacy presented after July 15**, **2016** at **12:00 noon will not be accepted for filing unless the candidate is disqualified under IC 3-8-1-5 or has moved from the election district the candidate sought to represent.**

The general election candidate withdrawal form (CAN-24) is available from the Election Division's office, on the Division's website, and is included in this Guide under the *Candidate Forms* tab.

3. Political Party Affiliation

A write-in candidate for statewide office may claim, on the candidate's declaration, affiliation with a political party other than the Democratic Party, the Libertarian Party, or the Republican Party (the parties whose nominee for Secretary of State of Indiana received at least 2% of the total votes cast in the most recent election for the office of Secretary of State (November 2014)). (IC 3-8-2-2.5)

If a write-in candidate claims affiliation with a political party:

- (1) that already has ballot access,
- (2) of a candidate who has previously filed a petition of nomination under IC 3-8-6, or
- (3) whose name would result in voter confusion due to its similarity with the name of the political party in (1) or (2),

then a registered voter of the election district may question the validity of the filing under IC 3-8-1-2. The Indiana Election Commission shall determine the validity of the questioned filing. If the Commission determines that the candidate's stated party affiliation would result in voter confusion due to its similarity with another party's name, and the candidate declines to amend the declaration to remove this confusion, then the Commission shall deny the filing. (IC 3-8-2-12.5)

JUDICIAL OFFICES

A. Qualifications

1. Circuit Court Judge

IC 3-8-1-16 provides that:

"A candidate for the office of judge of a circuit court must:

- (1) Reside in the circuit; and
- (2) Be admitted to the practice of law in the state upon taking office; as provided in Article 7, Section 7 of the Constitution of the State of Indiana."

IC 3-8-1-1 provides that:

- "... (b) A person is not qualified to run for: ...
 - (2) A local office; . . .

unless the person is registered to vote in the election district the person seeks to represent not later than the deadline for filing the declaration or petition of candidacy or certificate of nomination."

IC 3-8-1-5 provides that:

"Sec. 5. (a) This section does not apply to a candidate for federal office.

- (b) As used in this section, "felony" means a conviction in any jurisdiction for which the convicted person might have been imprisoned for more than one (1) year. However, the term does not include a conviction:
- (1) for which the person has been pardoned; or
- (2) that has been:
- (A) reversed;
 - (B) vacated;
- (C) set aside:
- (D) not entered because the trial court did not accept the person's guilty plea; or (E) expunged under IC 35-38-9.
- (c) A person is disqualified from assuming or being a candidate for an elected office if:
- (1) the person gave or offered a bribe, threat, or reward to procure the person's election, as provided in Article 2. Section 6 of the Constitution of the State of Indiana:
- (2) the person does not comply with IC 5-8-3 because of a conviction for a violation of the federal laws listed in that statute:
- (3) in a:
- (A) jury trial, a jury publicly announces a verdict against the person for a felony;
- (B) bench trial, the court publicly announces a verdict against the person for a felony; or
- (C) guilty plea hearing, the person pleads guilty or nolo contendere to a felony;
- (4) the person has been removed from the office the candidate seeks under Article 7, Section 11 or Article 7, Section 13 of the Constitution of the State of Indiana;
- (5) the person is a member of the United States armed forces on active duty and prohibited by the United States Department of Defense from being a candidate; or
- (6) the person is subject to:
- (A) 5 U.S.C. 1502 (the Little Hatch Act); or
- (B) 5 U.S.C. 7321-7326 (the Hatch Act);

and would violate either federal statute by becoming or remaining the candidate of a political party for nomination or election to an elected office or a political party office.

- (d) The subsequent reduction of a felony to a Class A misdemeanor under IC 35-50-2-7 or IC 35-38-1-1.5 after the:
- (1) jury has announced its verdict against the person for a felony;
- (2) court has announced its verdict against the person for a felony; or

(3) person has pleaded guilty or nolo contendere to a felony; does not affect the operation of subsection (c)."

2. Superior Court Judge

IC 3-8-1-17 provides that:

"A candidate for the office of judge of a superior or probate court must:

- (1) Be admitted to the practice of law in Indiana upon filing a declaration of candidacy or petition of nomination, or upon the filing of a certificate of candidate selection under IC 3-13-1-15 or IC 3-13-2-8; and
- (2) Comply with any other requirement for that office set forth in IC 33-29, IC 33-33, or IC 33-31."

IC 33-29-1-3 provides that:

- "(a) A standard superior court judge is elected at the general election every six (6) years in the county in which the court is located. The judge's term begins January 1 following the election and ends December 31 following the election of the judge's successor.
- (b) To be eligible to hold office as a judge of a standard superior court, a person must be:
- (1) a resident of the county in which the court is located; and
- (2) admitted to practice law in Indiana."

IC 3-8-1-1 provides that:

- "... (b) A person is not qualified to run for: ...
 - (2) A local office; . . .

unless the person is registered to vote in the election district the person seeks to represent not later than the deadline for filing the declaration or petition of candidacy or certificate of nomination."

IC 3-8-1-5 provides that:

- "Sec. 5. (a) This section does not apply to a candidate for federal office.
- (b) As used in this section, "felony" means a conviction in any jurisdiction for which the convicted person might have been imprisoned for more than one (1) year. However, the term does not include a conviction:
- (1) for which the person has been pardoned; or
- (2) that has been:
- (A) reversed:
 - (B) vacated;
- (C) set aside;
- (D) not entered because the trial court did not accept the person's guilty plea; or
 - (E) expunged under IC 35-38-9.
- (c) A person is disqualified from assuming or being a candidate for an elected office if:
- (1) the person gave or offered a bribe, threat, or reward to procure the person's election, as provided in Article 2, Section 6 of the Constitution of the State of Indiana;
- (2) the person does not comply with IC 5-8-3 because of a conviction for a violation of the federal laws listed in that statute:
- (3) in a:
- (A) jury trial, a jury publicly announces a verdict against the person for a felony;
- (B) bench trial, the court publicly announces a verdict against the person for a felony; or
- (C) guilty plea hearing, the person pleads guilty or nolo contendere to a felony;
- (4) the person has been removed from the office the candidate seeks under Article 7, Section 11 or Article 7, Section 13 of the Constitution of the State of Indiana;
- (5) the person is a member of the United States armed forces on active duty and prohibited by the United States Department of Defense from being a candidate; or
- (6) the person is subject to:
- (A) 5 U.S.C. 1502 (the Little Hatch Act); or

- (B) 5 U.S.C. 7321-7326 (the Hatch Act);
- and would violate either federal statute by becoming or remaining the candidate of a political party for nomination or election to an elected office or a political party office.
- (d) The subsequent reduction of a felony to a Class A misdemeanor under IC 35-50-2-7 or IC 35-38-1-1.5 after the:
- (1) jury has announced its verdict against the person for a felony;
- (2) court has announced its verdict against the person for a felony; or
- (3) person has pleaded guilty or nolo contendere to a felony; does not affect the operation of subsection (c)."

B. Statement of Economic Interest

A candidate for any of the following offices:

- judge of a circuit court,
- judge of a superior court,
- judge of the St. Joseph probate court, or
- prosecuting attorney

must file a statement of economic interest with the State Court Administration. (IC 33-23-11-14 & 15)

The statement of economic interest form is available from the State Court Administration Office.

The Election Division will require a receipt, photocopy of a receipt or a copy of the statement file stamped by the State Court Administration Office verifying that the statement of economic interest and other prerequisite filings have been completed. (IC 3-8-2-11) A file stamped copy of this filing with State Court Administration (or a photocopy of that file-stamped document) serves as a receipt.

C. Democratic and Republican Party Candidates Nominated at the Primary Election

1. Filing Requirements

A candidate may submit a declaration of candidacy in person or by mail and is considered filed as of the DAY AND TIME IT IS FILED in the office of the Indiana Election Division. "Filing" occurs when the Election Division records the date and time that the document was file stamped by the Division, not when the document is received in the mail. (IC 3-5-2-24.5) A declaration may not be submitted by facsimile transmission or electronic mail. (IC 3-5-4-1.7; IC 3-8-2-11)

Candidates for a judicial office from the Democratic or Republican Party will be nominated at the primary election to be held on Tuesday, May 3, 2016.

A candidate for the nomination to a judicial office by the Democratic or Republican Party must file a declaration of candidacy with the Election Division. (IC 3-8-2-5) (Petitions signed by registered voters are **NOT** required of Democratic or Republican Party candidates for these offices.)

The first day to submit a declaration of candidacy to the Election Division is Wednesday, January 6, 2016, and the DEADLINE to file is 12:00 noon, Indianapolis time, Friday, February 5, 2016. (IC 3-8-2-4; IC 3-8-2-5) A declaration of candidacy presented after February 5, 2016 at 12:00 noon will not be accepted for filing.

The declaration of candidacy form (CAN-2) is available from the Election Division's office, on the Division's website, and is included in this Guide under the *Candidate Forms* tab.

2. Political Party Affiliation

Indiana Code 3-8-2-7 sets forth the standard for determining the political party affiliation of a candidate who files a declaration of candidacy for a primary election. The political party affiliation of the candidate is deemed to be:

- (1) the political party in whose primary in Indiana the candidate most recently voted; or
- (2) the political party of the county chair of the county in which the candidate resides who certifies that the candidate is a member of that political party.

3. Candidate Withdrawal Requirements

Primary Election Candidate Withdrawal

A candidate for a judicial office who filed with the Election Division a declaration of candidacy for the primary election, may file written notice of candidate withdrawal with the Election Division certifying that the individual no longer wishes to be a candidate. The **DEADLINE** to file this notice with the Election Division is **12:00 noon, Indianapolis time, Monday, February 8, 2016**. (IC 3-8-2-20) Upon receipt of this notice, the Election Division will **not** certify that individual's name as a candidate for the primary election. (IC 3-8-2-21) **Notice of candidate withdrawal presented after February 8, 2016 at 12:00 noon will not be accepted for filing unless the candidate is disqualified under IC 3-8-1-5 or has moved from the election district the candidate sought to represent.**

The primary election candidate withdrawal form (CAN-10) is available from the Election Division's office, on the Division's website, and is included in this Guide under the *Candidate Forms* tab.

General Election Candidate Withdrawal

After the primary, if a nominee for judicial office wishes to withdraw from the ticket for the general election, the nominee must file a written notice of candidate withdrawal with the Election Division. The **DEADLINE** to file this notice with the Election Division is **12:00 noon, Indianapolis time, on Friday July 15, 2016**. (IC 3-8-7-28) Upon receipt of this notice, the Election Division will **not** certify that individual's name as a candidate for the general election. **Notice to withdraw candidacy presented after July 15, 2016** at **12:00 noon will not be accepted for filing unless the candidate is disqualified under IC 3-8-1-5 or has moved from the election district the candidate sought to represent.**

The general election candidate withdrawal form (CAN-24) is available from the Election Division's office, on the Division's website, and is included in this Guide under the *Candidate Forms* tab.

D. Libertarian Party Candidates

1. Filing Requirements

Libertarian Party candidates are not nominated in a primary election, but are nominated by political party convention. (IC 3-8-4-10) The Libertarian Party will nominate candidates for judicial offices and for prosecuting attorney at the Party's state convention. Candidates for these offices should contact the Libertarian Party's state committee for information concerning any candidate filing requirements.

Libertarian Party candidates for judicial offices or prosecuting attorney are **not** required to file declarations of candidacy with the Election Division. Instead, the Libertarian Party state chair and secretary shall certify the Party's nominees to the Election Division no later than 12:00 **noon**, **Indianapolis time**, **July 15**, **2016**. (IC 3-8-7-8)

Following a state convention, the chairperson and secretary of the convention or the state chairperson and secretary of the Libertarian Party must file a certificate of nomination (CAN-23) with the Election Division no later than 12:00 noon, Indianapolis time, July 15, 2016.

2. Candidate Withdrawal Requirements

If a nominee for a judicial office wishes to withdraw from the Libertarian Party ticket for the general election, the nominee must file a written notice of candidate withdrawal with the Election Division. The **DEADLINE** to file this notice with the Election Division is **12:00 noon, Indianapolis time, on Friday, July 15, 2016**. (IC 3-8-7-28) Upon receipt of this notice, the Election Division will not certify that individual's name as a candidate for the general election. **Notice to withdraw candidacy presented after July 15, 2016** at **12:00 noon will not be accepted for filing unless the candidate is disqualified under IC 3-8-1-5 or has moved from the election district the candidate sought to represent.**

The general election candidate withdrawal form (CAN-24) is available from the Election Division's office, on the Division's website, and is included in this Guide under the *Candidate Forms* tab.

E. Minor Party and Independent Candidates

1. Filing Requirements

This section addresses the filing and petition requirements for a person who does not intend to affiliate with the Democratic, Libertarian or Republican Party, and who does not intend to be a write-in candidate.

A person who wishes to become an independent candidate or a candidate of a minor party not qualified to nominate candidates in a primary election or by political party convention, and who wishes be a candidate for a judicial office or for prosecuting attorney at the general election, must file a written consent to become a candidate (CAN-20 form) and a certified petition of nomination (CAN-19 form) with the Election Division. (IC 3-8-6-12 and IC 3-8-6-14(a))

Each candidate nominated by petition of nomination must satisfy all statutory eligibility requirements for the office for which the candidate is nominated, including the filing of a statement of economic interest. (IC 3-8-6-14(b))

The written consent form (CAN-20) and petition of nomination form (CAN-19) are available from the Election Division's office, on the Division's website, and are included in this Guide under the *Candidate Forms* tab.

To be placed on the general election ballot, an independent or minor party candidate must obtain signatures of registered voters in the election district the candidate seeks to represent. A petition of nomination must be signed by the number of registered voters equal to 2% of the total votes cast for secretary of state in the 2014 general election **in the election district** the candidate seeks to represent. Any fraction in excess of a whole number is disregarded in computing this figure. (IC 3-8-6-3) Signatures on any petition of nomination must be those of registered voters of the state who reside in the district the candidate seeks to represent. (IC 3-8-6-2)

EXAMPLE: A candidate for the office of superior court judge must obtain signatures of registered voters equal to 2% of the total votes cast for secretary of state in the 2014 general election in the county.

Circuit court clerks should have information on the precinct votes for the office of secretary of state in the 2014 general election to help determine the number of signatures required for a candidate seeking ballot placement by petition of nomination. A chart listing the 2% ballot access requirement for each county is included under the 2014 Vote for Secretary of State tab of this Guide.

For a petition of nomination to be considered valid, the county voter registration office in the county where the individual signing the petition is registered must certify whether each person who signs the petition is a registered voter at the residence listed in the petition at the time the county processes the petition and in the election district the candidate seeks to represent. This certification must accompany and be a part of the petition of nomination. (This certification is on the reverse side of the CAN-19 form.) (IC 3-8-6-10; IC 3-8-6-11)

A petition carrier is required to sign an affidavit at the bottom of each page of the petition prior to filing with the county voter registration office.

The **first day** a candidate for a judicial office may submit the petition of nomination, accompanied by the written consent form (CAN-20) to the county voter registration office for certification is **Wednesday**, **January 6, 2016** and the **DEADLINE** for filing is **12:00 noon**, **prevailing local time**, **Thursday**, **June 30, 2016**. (IC 3-8-6-12)

For candidates for judicial offices, once the county voter registration office certifies the petitions of nomination, these certified petitions along with the candidate's consent (CAN-20 form) and receipt of filing of the statement of economic interest (as required under IC 3-8-1-33), must be filed with the Election Division. The **DEADLINE** for filing the certified petition of nomination (CAN-19), accompanied by the written consent form (CAN-20) with the Election Division is **12:00 noon, Indianapolis time, Friday, July 15, 2016.** (IC 3-8-6-10; IC 3-8-6-12) The county voter registration office must file the certified petitions of nomination with the Election Division. However, the candidate for a judicial office may request that the county voter registration office return the original petitions to the candidate so that the candidate may file the certified petitions (along with the CAN-20 form) with the Election Division to be placed on the general election ballot. (IC 3-8-6-10)

2. Nominating Petition Requirements

Candidates or political party members may wish to contact county voter registration offices to coordinate the processing of nominating petitions. Some county offices prefer to process all petitions for a candidate at the same time, while others are willing to process partial submissions.

Sometimes a county voter registration office rejects a signature on a nominating petition because the individual who signed the petition is not a registered voter of the election district of the office sought by the candidate. Although a minor variation between the name or address of a petition signer and the name or address on the county voter registration records does not invalidate the signature, a substantial variation renders the signature invalid. Reasonable doubts must be resolved in favor of the signer of the petition. (IC 3-5-6)

3. Political Party Names

A candidate may not submit a petition of nomination requesting ballot placement for a political party whose name would result in voter confusion due to its similarity with another party's name. If the candidate declines to amend the petition to remove this confusion, the petition may be challenged, and shall be denied if the Indiana election commission finds that confusion would exist. (IC 3-8-6-5.5) A candidate must indicate whether the candidate is affiliated with any other candidate or group of candidates filing a petition under the same political party name. (IC 3-8-6-5)

4. Candidate Withdrawal Requirements

The **DEADLINE** for a person nominated by petition for a judicial office or the office of prosecuting attorney who wishes to withdraw from the general election ballot to file a written notice of candidate withdrawal with the Election Division is than **12:00 noon, Indianapolis time, on Friday, July 15, 2016**. (IC 3-8-7-28) Upon receipt of this notice, the Election Division will not certify that individual's name as a candidate for the general election.

Notice to withdraw candidacy presented after July 15, 2016 at 12:00 noon will not be accepted for filing unless the candidate is disqualified under IC 3-8-1-5 or has moved from the election district the candidate sought to represent.

The general election candidate withdrawal form (CAN-24) is available from the Election Division's office, on the Division's website, and is included in this Guide under the *Candidate Forms* tab.

F. Write-in Candidates

1. Filing Requirements

Indiana law provides that only votes for declared write-in candidates are counted. (IC 3-12-1-1.7(a))

A person who desires to be a write-in candidate for a judicial office in the general election on Tuesday, November 8, 2016 must file a declaration of intent to be a write-in candidate (CAN 3 form) with the Election Division. (IC 3-8-2-2.5)

The CAN-3 form is available from the Election Division's office, on the Division's website, and is included in this Guide under the *Candidate Forms* tab.

The first day a write-in candidate may file the CAN-3 form with the Election Division is **Wednesday**, **January 6, 2016** and the **DEADLINE** for filing is **12:00 noon**, **Indianapolis time**, **Tuesday**, **July 5**, **2016**. (IC 3-8-2-2.5; IC 3-8-2-4; IC 3-8-2-5; IC 3-11-2-11.5)

2. Candidate Withdrawal Requirements

The **DEADLINE** for a person who files a declaration of intent to be a write-in candidate for a judicial office or for prosecuting attorney to file a written notice of candidate withdrawal with the Election Division is **12:00 noon**, **Indianapolis time**, **on Friday**, **July 15**, **2016**. (IC 3-8-7-28) Upon receipt of this notice, the Election Division will not certify that individual's name as a candidate for the general election. **Notice to withdraw candidacy presented after July 15**, **2016 at 12:00 noon will not be accepted for filing unless the candidate is disqualified under IC 3-8-1-5 or has moved from the election district the candidate sought to represent.**

The general election candidate withdrawal form (CAN-24) is available from the Election Division's office, on the Division's website, and is included in this Guide under the *Candidate Forms* tab.

3. Political Party Affiliation

A write-in candidate for judicial office or for prosecuting attorney may claim, on the candidate's declaration, affiliation with a political party other than the Democratic Party, the Libertarian Party, or the Republican Party (the parties whose nominee for Secretary of State of Indiana received at least 2% of the total votes cast in the most recent election for the office of Secretary of State (November 2014)). (IC 3-8-2-2.5)

If a write-in candidate claims affiliation with a political party: (1) that already has ballot access, (2) of a candidate who has previously filed a petition of nomination under IC 3-8-6, or (3) whose name would result in voter confusion due to its similarity with the name of the political party in (1) or (2), then a registered voter of the election district may question the validity of the filing under IC 3-8-1-2. The Indiana Election Commission shall determine the validity of the questioned filing. If the Commission determines that the candidate's stated party affiliation would result in voter confusion due to its similarity with another party's name, and the candidate declines to amend the declaration to remove this confusion, then the Commission shall deny the filing. (IC 3-8-2-12.5)

NON-PARTISAN ELECTIONS FOR CERTAIN COUNTY JUDICIAL OFFICES AND OTHER SPECIAL PROCEDURES

Allen County

The nine judges of the Allen County Superior Court are elected at the general election, but are placed on the general election ballot **without party designation**. (IC 33-33-2-9) A candidate for Allen County Superior Court judge must file a declaration of candidacy with the Election Division (CAN-41 form). The **first day** to file with the Election Division is **Wednesday**, **January 6**, **2016**, and the **DEADLINE** to file is **12:00 noon**, **Indianapolis time**, **on Friday**, **February 5**, **2016**. (IC 3-8-2-4; IC 3-8-2-5) **A declaration of candidacy presented after February 5**, **2016** at **12:00 noon will not be accepted for filing**.

The declaration of candidacy form (CAN-41) is available from the Election Division's office, on the Division's website, and is included in this Guide under the *Candidate Forms* tab. For the special candidate qualifications that apply to this office, see IC 33-33-2-10.

NOTE: If an individual who filed a declaration of candidacy for judge in the Allen County Superior Court ceases to be a candidate, the Election Division may accept the filing of additional declarations of candidacy for the seat not later than 12:00 noon, Indianapolis time, Monday, August 1, 2016. (IC 33-33-2-8(f))

Lake County

The judges of the Lake County Superior Court are appointed by the governor, following nominations submitted by the Superior Court of Lake County Nominating Commission. Each judge is subject to a retention vote by the voters under IC 33-33-45-25.

Marion County

The thirty-six judges of the Marion County Superior Court are elected at the general election, but none of these offices will be on the November 8, 2016 general election ballot.

Candidates for these offices are nominated by the political parties in the primary election using a special procedure set forth in IC 33-33-49-13.

However, the manner by which candidates for the thirty-six judges of the Marion County Superior Court are elected has been adjudged unconstitutional by the United States Court of Appeals for the Seventh Circuit As of the publication date of this Manual, this ruling is subject to possible appeal to the United States Supreme Court.

St. Joseph County

The eight judges of the St. Joseph County Superior Court are appointed by the governor, following nominations submitted by the Superior Court of St. Joseph County Nominating Commission. Each judge is subject to a retention vote by St. Joseph County voters under IC 33-33-71-42.

Vanderburgh County

The seven judges of the Vanderburgh County Superior Court (and the judge of the Vanderburgh Circuit Court) are elected at the general election but are placed on the general election ballot **without party designation**. (IC 33-33-82-31) A candidate for Vanderburgh County Superior Court judge must file a declaration of candidacy with the Election Division (CAN-41 form). The **first day** to file with the Election Division is **Wednesday**, **January 6**, **2016**, and the **DEADLINE** to file is **12:00 noon**, **Indianapolis time**, **on Friday**, **February 5**, **2016**. (IC 3-8-2-4; IC 3-8-2-5) **A declaration of candidacy presented after February 5**, **2016** at **12:00 noon will not be accepted for filing**.

The declaration of candidacy form (CAN-41) is available from the Election Division's office, on the Division's website, and is included in this Guide under the *Candidate Forms* tab. For the special candidate qualifications that apply to this office, see IC 33-33-82-31.

NOTE: If an individual who filed a declaration of candidacy for judge in the Vanderburgh County Superior Court ceases to be a candidate, the Election Division may accept the filing of additional declarations of candidacy for the seat not later than 12:00 noon, Indianapolis time, Monday, August 1, 2016. (IC 33-33-82-31(c))

COUNTY OFFICES
CLERK OF THE CIRCUIT COURT
COUNTY AUDITOR
COUNTY RECORDER
COUNTY TREASURER
COUNTY SHERIFF
COUNTY CORONER
COUNTY SURVEYOR
COUNTY ASSESSOR
COUNTY COMMISSIONER
COUNTY COUNCIL MEMBER

NOTE: Some (but not necessarily all) county offices will be elected in 2016. The election schedule for these offices varies from county to county according to when a county was originally organized by the state. All County Sheriffs will be elected in 2018.

A. Qualifications

1. Clerk of the Circuit Court

Article 6, Section 2 of the Constitution of the State of Indiana provides that:

"There shall be elected, in each county by the voters thereof, at the time of holding general elections, a Clerk of the Circuit Court, Auditor, Recorder, Treasurer, Sheriff, Coroner, and Surveyor, who shall, severally, hold their offices for four years; and no person shall be eligible to the office of Clerk, Auditor, Recorder, Treasurer, Sheriff, or Coroner more than eight years in any period of twelve years."

IC 3-8-1-1 provides that:

- "... (b) A person is not qualified to run for: ...
 - (2) A local office; . . .

unless the person is registered to vote in the election district the person seeks to represent not later than the deadline for filing the declaration or petition of candidacy or certificate of nomination."

IC 3-8-1-5 provides that:

- "Sec. 5. (a) This section does not apply to a candidate for federal office.
- (b) As used in this section, "felony" means a conviction in any jurisdiction for which the convicted person might have been imprisoned for more than one (1) year. However, the term does not include a conviction:
- (1) for which the person has been pardoned; or
- (2) that has been:
- (A) reversed;
 - (B) vacated;
- (C) set aside;
- (D) not entered because the trial court did not accept the person's guilty plea; or (E) expunged under IC 35-38-9.
- (c) A person is disqualified from assuming or being a candidate for an elected office if:
- (1) the person gave or offered a bribe, threat, or reward to procure the person's election, as provided in Article 2, Section 6 of the Constitution of the State of Indiana;
- (2) the person does not comply with IC 5-8-3 because of a conviction for a violation of the federal laws listed in that statute:

- (3) in a:
- (A) jury trial, a jury publicly announces a verdict against the person for a felony;
- (B) bench trial, the court publicly announces a verdict against the person for a felony; or
- (C) guilty plea hearing, the person pleads guilty or nolo contendere to a felony;
- (4) the person has been removed from the office the candidate seeks under Article 7, Section 11 or Article 7, Section 13 of the Constitution of the State of Indiana;
- (5) the person is a member of the United States armed forces on active duty and prohibited by the United States Department of Defense from being a candidate; or
- (6) the person is subject to:
- (A) 5 U.S.C. 1502 (the Little Hatch Act); or
- (B) 5 U.S.C. 7321-7326 (the Hatch Act);
- and would violate either federal statute by becoming or remaining the candidate of a political party for nomination or election to an elected office or a political party office.
- (d) The subsequent reduction of a felony to a Class A misdemeanor under IC 35-50-2-7 or IC 35-38-1-1.5 after the:
- (1) jury has announced its verdict against the person for a felony;
- (2) court has announced its verdict against the person for a felony; or
- (3) person has pleaded guilty or nolo contendere to a felony; does not affect the operation of subsection (c)."

IC 3-8-1-33 provides that:

- "Sec. 33. (a) A candidate for an office listed in subsection (b) must file a statement of economic interests.
- (b) Whenever a candidate for any of the following offices is also required to file a declaration of candidacy or is nominated by petition, the candidate shall file a statement of economic interests before filing the declaration of candidacy or declaration of intent to be a write-in candidate, before the petition of nomination is filed, before the certificate of nomination is filed, or before being appointed to fill a candidate vacancy under IC 3-13-1 or IC 3-13-2:

* * *

(4) A candidate for a local office..., in accordance with IC 3-8-9, except a candidate for a local office described in subdivision (3)." (Subdivision 3 requires certain judge and prosecutor candidates to already file statements of economic interest)

A candidate for local office (other than judge or prosecuting attorney) is required to file a statement of economic interest (CAN-12). The circuit court clerk must reject a declaration of candidacy that does not include the CAN-12 statement. This form is available from the Election Division's office, on the Division's website, and each circuit court clerk's office. A CAN-12 form is included in this Guide under the *Candidate Forms* tab.

2. County Auditor

County Recorder

County Treasurer

County Sheriff

County Coroner

County Surveyor

Article 6, Section 2 of the Constitution of the State of Indiana provides that:

"There shall be elected, in each county by the voters thereof, at the time of holding general elections, a Clerk of the Circuit Court, Auditor, Recorder, Treasurer, Sheriff, Coroner, and Surveyor, who shall, severally, hold their offices for four years; and no person shall be eligible to the office of Clerk, Auditor, Recorder, Treasurer, Sheriff, or Coroner more than eight years in any period of twelve years."

IC 3-8-1-20 provides that:

"A candidate for the office of county auditor, recorder, treasurer, sheriff, coroner or surveyor must have resided in the county for at least one (1) year before the election, as provided in Article 6, Section 4 of the Constitution of the State of Indiana."

IC 3-8-1-1 provides that:

- "... (b) A person is not qualified to run for: ...
 - (2) A local office; . . .

unless the person is registered to vote in the election district the person seeks to represent not later than the deadline for filing the declaration or petition of candidacy or certificate of nomination."

IC 3-8-1-5 provides that:

- "Sec. 5. (a) This section does not apply to a candidate for federal office.
- (b) As used in this section, "felony" means a conviction in any jurisdiction for which the convicted person might have been imprisoned for more than one (1) year. However, the term does not include a conviction:
- (1) for which the person has been pardoned; or
- (2) that has been:
- (A) reversed:
 - (B) vacated:
- (C) set aside:
- (D) not entered because the trial court did not accept the person's guilty plea; or (E) expunged under IC 35-38-9.
- (c) A person is disqualified from assuming or being a candidate for an elected office if:
- (1) the person gave or offered a bribe, threat, or reward to procure the person's election, as provided in Article 2, Section 6 of the Constitution of the State of Indiana;
- (2) the person does not comply with IC 5-8-3 because of a conviction for a violation of the federal laws listed in that statute:
- (3) in a:
- (A) jury trial, a jury publicly announces a verdict against the person for a felony;
- (B) bench trial, the court publicly announces a verdict against the person for a felony; or
- (C) guilty plea hearing, the person pleads guilty or nolo contendere to a felony;
- (4) the person has been removed from the office the candidate seeks under Article 7, Section 11 or Article 7, Section 13 of the Constitution of the State of Indiana;
- (5) the person is a member of the United States armed forces on active duty and prohibited by the United States Department of Defense from being a candidate; or
- (6) the person is subject to:
- (A) 5 U.S.C. 1502 (the Little Hatch Act); or
- (B) 5 U.S.C. 7321-7326 (the Hatch Act);

and would violate either federal statute by becoming or remaining the candidate of a political party for nomination or election to an elected office or a political party office.

- (d) The subsequent reduction of a felony to a Class A misdemeanor under IC 35-50-2-7 or IC 35-38-1-1.5 after the:
- (1) jury has announced its verdict against the person for a felony;
- (2) court has announced its verdict against the person for a felony; or
- (3) person has pleaded guilty or nolo contendere to a felony; does not affect the operation of subsection (c)."

IC 3-8-1-33 provides that:

- "Sec. 33. (a) A candidate for an office listed in subsection (b) must file a statement of economic interests.
- (b) Whenever a candidate for any of the following offices is also required to file a declaration of candidacy or is nominated by petition, the candidate shall file a statement of economic interests before filing the declaration of candidacy or declaration of intent to be a write-in candidate, before

the petition of nomination is filed, before the certificate of nomination is filed, or before being appointed to fill a candidate vacancy under IC 3-13-1 or IC 3-13-2:

* * *

(4) A candidate for a local office..., in accordance with IC 3-8-9, except a candidate for a local office described in subdivision (3)." (Subdivision 3 requires certain judge and prosecutor candidates to already file statements of economic interest)

A candidate for local office (other than judge or prosecuting attorney) is required to file a statement of economic interest (CAN-12). The circuit court clerk must reject a declaration of candidacy that does not include the CAN-12 statement. This form is available from the Election Division's office, on the Division's website, and each circuit court clerk's office. A CAN-12 form is included in this Guide under the *Candidate Forms* tab

3. County Assessor

IC 3-8-1-23 provides that:

Sec. 23. (a) Subject to subsection (b), a candidate for the office of county assessor must:

- (1) have resided in the county for at least one (1) year before the election, as provided in Article 6, Section 4 of the Constitution of the State of Indiana.
- (2) The candidate must own real property located in the county upon taking office.

IC 3-8-1-1 provides that:

- "...(b) A person is not qualified to run for: ...
 - (2) A local office; . . .

unless the person is registered to vote in the election district the person seeks to represent not later than the deadline for filing the declaration or petition of candidacy or certificate of nomination."

IC 3-8-1-5 provides that:

- Sec. 5. (a) This section does not apply to a candidate for federal office.
- (b) As used in this section, "felony" means a conviction in any jurisdiction for which the convicted person might have been imprisoned for more than one (1) year. However, the term does not include a conviction:
- (1) for which the person has been pardoned; or
- (2) that has been:
- (A) reversed;
 - (B) vacated;
- (C) set aside;
- (D) not entered because the trial court did not accept the person's guilty plea; or
 - (E) expunged under IC 35-38-9.
- (c) A person is disqualified from assuming or being a candidate for an elected office if:
- (1) the person gave or offered a bribe, threat, or reward to procure the person's election, as provided in Article 2, Section 6 of the Constitution of the State of Indiana;
- (2) the person does not comply with IC 5-8-3 because of a conviction for a violation of the federal laws listed in that statute:
- (3) in a:
- (A) jury trial, a jury publicly announces a verdict against the person for a felony;
- (B) bench trial, the court publicly announces a verdict against the person for a felony; or
- (C) guilty plea hearing, the person pleads guilty or nolo contendere to a felony;
- (4) the person has been removed from the office the candidate seeks under Article 7, Section 11 or Article 7, Section 13 of the Constitution of the State of Indiana;
- (5) the person is a member of the United States armed forces on active duty and prohibited by the United States Department of Defense from being a candidate; or

- (6) the person is subject to:
- (A) 5 U.S.C. 1502 (the Little Hatch Act); or
- (B) 5 U.S.C. 7321-7326 (the Hatch Act);

and would violate either federal statute by becoming or remaining the candidate of a political party for nomination or election to an elected office or a political party office.

- (d) The subsequent reduction of a felony to a Class A misdemeanor under IC 35-50-2-7 or IC 35-38-1-1.5 after the:
- (1) jury has announced its verdict against the person for a felony;
- (2) court has announced its verdict against the person for a felony; or
- (3) person has pleaded guilty or nolo contendere to a felony; does not affect the operation of subsection (c).

IC 3-8-1-33 provides that:

- "Sec. 33. (a) A candidate for an office listed in subsection (b) must file a statement of economic interests.
- (b) Whenever a candidate for any of the following offices is also required to file a declaration of candidacy or is nominated by petition, the candidate shall file a statement of economic interests before filing the declaration of candidacy or declaration of intent to be a write-in candidate, before the petition of nomination is filed, before the certificate of nomination is filed, or before being appointed to fill a candidate vacancy under IC 3-13-1 or IC 3-13-2:

* * *

(4) A candidate for a local office..., in accordance with IC 3-8-9, except a candidate for a local office described in subdivision (3)." (Subdivision 3 requires certain judge and prosecutor candidates to already file statements of economic interest)

A candidate for local office (other than judge or prosecuting attorney) is required to file a statement of economic interest (CAN-12). The circuit court clerk must reject a declaration of candidacy that does not include the CAN-12 statement. This form is available from the Election Division's office, on the Division's website, and each circuit court clerk's office. A CAN-12 form is included in this Guide under the *Candidate Forms* tab.

4. County Commissioner

IC 3-8-1-21 provides that:

"A candidate for the office of county Commissioner must:

- (1) Have resided in the county for at least one (1) year before the election as provided in Article
- 6, Section 4 of the Constitution of the State of Indiana; and
- (2) Have resided in the district in which seeking election, if applicable, for at least six (6) months before the election."

IC 3-8-1-1 provides that:

- "...(b) A person is not qualified to run for: ...
 - (2) A local office: . . .

unless the person is registered to vote in the election district the person seeks to represent not later than the deadline for filing the declaration or petition of candidacy or certificate of nomination."

IC 3-8-1-5 provides that:

Sec. 5. (a) This section does not apply to a candidate for federal office.

- (b) As used in this section, "felony" means a conviction in any jurisdiction for which the convicted person might have been imprisoned for more than one (1) year. However, the term does not include a conviction:
- (1) for which the person has been pardoned; or
- (2) that has been:
- (A) reversed;

- (B) vacated;
- (C) set aside;
- (D) not entered because the trial court did not accept the person's guilty plea; or (E) expunged under IC 35-38-9.
- (c) A person is disqualified from assuming or being a candidate for an elected office if:
- (1) the person gave or offered a bribe, threat, or reward to procure the person's election, as provided in Article 2, Section 6 of the Constitution of the State of Indiana;
- (2) the person does not comply with IC 5-8-3 because of a conviction for a violation of the federal laws listed in that statute;
 - (3) in a:
 - (A) jury trial, a jury publicly announces a verdict against the person for a felony;
 - (B) bench trial, the court publicly announces a verdict against the person for a felony; or
 - (C) guilty plea hearing, the person pleads guilty or nolo contendere to a felony;
- (4) the person has been removed from the office the candidate seeks under Article 7, Section 11 or Article 7, Section 13 of the Constitution of the State of Indiana;
- (5) the person is a member of the United States armed forces on active duty and prohibited by the United States Department of Defense from being a candidate; or
- (6) the person is subject to:
- (A) 5 U.S.C. 1502 (the Little Hatch Act); or
- (B) 5 U.S.C. 7321-7326 (the Hatch Act);
- and would violate either federal statute by becoming or remaining the candidate of a political party for nomination or election to an elected office or a political party office.
- (d) The subsequent reduction of a felony to a Class A misdemeanor under IC 35-50-2-7 or IC 35-38-1-1.5 after the:
- (1) jury has announced its verdict against the person for a felony;
- (2) court has announced its verdict against the person for a felony; or
- (3) person has pleaded guilty or nolo contendere to a felony; does not affect the operation of subsection (c).

IC 3-8-1-33 provides that:

"Sec. 33. (a) A candidate for an office listed in subsection (b) must file a statement of economic interests.

(b) Whenever a candidate for any of the following offices is also required to file a declaration of candidacy or is nominated by petition, the candidate shall file a statement of economic interests before filing the declaration of candidacy or declaration of intent to be a write-in candidate, before the petition of nomination is filed, before the certificate of nomination is filed, or before being appointed to fill a candidate vacancy under IC 3-13-1 or IC 3-13-2:

* * *

(4) A candidate for a local office..., in accordance with IC 3-8-9, except a candidate for a local office described in subdivision (3)." (Subdivision 3 requires certain judge and prosecutor candidates to already file statements of economic interest)

A candidate for local office (other than judge or prosecuting attorney) is required to file a statement of economic interest (CAN-12). **The circuit court clerk must reject a declaration of candidacy that does not include the CAN-12 statement.** This form is available from the Election Division's office, on the Division's website, and each circuit court clerk's office. A CAN-12 form is included in this Guide under the *Candidate Forms* tab

5. County Council Member

IC 3-8-1-22 provides that:

"A candidate for membership on the county council of a county must:

- (1) Have resided in the county for at least one (1) year before the election, as provided in Article
- 6, Section 4 of the Constitution of the State of Indiana; and
- (2) Have resided in the district in which seeking election, if applicable, for at least six (6) months before the election."

IC 3-8-1-1 provides that:

- "... (b) A person is not qualified to run for: ...
 - (2) A local office; . . .

unless the person is registered to vote in the election district the person seeks to represent not later than the deadline for filing the declaration or petition of candidacy or certificate of nomination."

IC 3-8-1-5 provides that:

Sec. 5. (a) This section does not apply to a candidate for federal office.

- (b) As used in this section, "felony" means a conviction in any jurisdiction for which the convicted person might have been imprisoned for more than one (1) year. However, the term does not include a conviction:
- (1) for which the person has been pardoned; or
- (2) that has been:
- (A) reversed;
 - (B) vacated;
- (C) set aside;
- (D) not entered because the trial court did not accept the person's guilty plea; or (E) expunged under IC 35-38-9.
- (c) A person is disqualified from assuming or being a candidate for an elected office if:
- (1) the person gave or offered a bribe, threat, or reward to procure the person's election, as provided in Article 2, Section 6 of the Constitution of the State of Indiana;
- (2) the person does not comply with IC 5-8-3 because of a conviction for a violation of the federal laws listed in that statute;
- (3) in a:
- (A) jury trial, a jury publicly announces a verdict against the person for a felony;
- (B) bench trial, the court publicly announces a verdict against the person for a felony; or
- (C) guilty plea hearing, the person pleads guilty or nolo contendere to a felony;
- (4) the person has been removed from the office the candidate seeks under Article 7, Section 11 or Article 7, Section 13 of the Constitution of the State of Indiana;
- (5) the person is a member of the United States armed forces on active duty and prohibited by the United States Department of Defense from being a candidate; or
- (6) the person is subject to:
- (A) 5 U.S.C. 1502 (the Little Hatch Act); or
- (B) 5 U.S.C. 7321-7326 (the Hatch Act);

and would violate either federal statute by becoming or remaining the candidate of a political party for nomination or election to an elected office or a political party office.

- (d) The subsequent reduction of a felony to a Class A misdemeanor under IC 35-50-2-7 or IC 35-38-1-1.5 after the:
- (1) jury has announced its verdict against the person for a felony:
- (2) court has announced its verdict against the person for a felony; or
- (3) person has pleaded guilty or nolo contendere to a felony; does not affect the operation of subsection (c).

IC 3-8-1-33 provides that:

"Sec. 33. (a) A candidate for an office listed in subsection (b) must file a statement of economic interests.

(b) Whenever a candidate for any of the following offices is also required to file a declaration of candidacy or is nominated by petition, the candidate shall file a statement of economic interests before filing the declaration of candidacy or declaration of intent to be a write-in candidate, before the petition of nomination is filed, before the certificate of nomination is filed, or before being appointed to fill a candidate vacancy under IC 3-13-1 or IC 3-13-2:

* * *

(4) A candidate for a local office..., in accordance with IC 3-8-9, except a candidate for a local office described in subdivision (3)." (Subdivision 3 requires certain judge and prosecutor candidates to already file statements of economic interest)

A candidate for local office (other than judge or prosecuting attorney) is required to file a statement of economic interest (CAN-12). **The circuit court clerk must reject a declaration of candidacy that does not include the CAN-12 statement.** This form is available from the Election Division's office, on the Division's website, and each circuit court clerk's office. A CAN-12 form is included in this Guide under the *Candidate Forms* tab

B. Democratic and Republican Party Candidates Nominated at the Primary Election

1. Filing Requirements

Candidates for the office of circuit court clerk and county offices from the Democratic or Republican Party will be nominated at the primary election to be held on Tuesday, May 3, 2016.

A candidate for the nomination for the office of circuit court clerk or a county office by the Democratic or Republican Party must file a declaration of candidacy with the county election board. (IC 3-8-2-6) (Petitions signed by registered voters are **NOT** required of Democratic or Republican Party candidates for the office of circuit court clerk and county offices.)

The first day to submit a declaration of candidacy to the county election board is Wednesday, January 6, 2016, and the DEADLINE to file is 12:00 noon, prevailing local time, Friday, February 5, 2016. (IC 3-8-2-4; IC 3-8-2-5) A declaration of candidacy presented after February 5, 2016 at 12:00 noon will not be accepted for filing.

The declaration of candidacy form (CAN-2) and statement of economic interest (CAN-12) are available from the Election Division's office, on the Division's website, and each circuit court clerk's office. A CAN-2 and CAN-12 are included in this Guide under the *Candidate Forms* tab.

2. Political Party Affiliation

Indiana Code 3-8-2-7 sets forth the standard for determining the political party affiliation of a candidate who files a declaration of candidacy for a primary election. The political party affiliation of the candidate is deemed to be:

- (1) the political party in whose primary in Indiana the candidate most recently voted; or
- the political party of the county chair of the county in which the candidate resides who certifies that the candidate is a member of that political party.

3. Candidate Withdrawal Requirements

Primary Election Candidate Withdrawal

A candidate for the office of circuit court clerk or a county office who filed with the county election board a declaration of candidacy for the primary election, may file written notice of candidate withdrawal with the county election board certifying that the individual no longer wishes to be a candidate. The **DEADLINE** to file this notice with the county election board is **12:00 noon, prevailing local time, Monday, February 8, 2016**. (IC 3-8-2-20) Upon receipt of this notice, the county election board will **not** certify that individual's name as a candidate for the primary election. (IC 3-8-2-21) **Notice of candidate** withdrawal filed after February 8, 2016 at 12:00 noon will not be accepted for filing unless the candidate is disqualified under IC 3-8-1-5 or has moved from the election district the candidate sought to represent.

The primary election candidate withdrawal form (CAN-10) is available from the Election Division's office, on the Division's website, and each circuit court clerk's office. A CAN-10 is included in this Guide under the *Candidate Forms* tab.

General Election Candidate Withdrawal

After the primary, if a nominee for the office of circuit court clerk or a county office wishes to withdraw from the ticket for the general election, the nominee must file a written notice of candidate withdrawal with the county election board. The **DEADLINE** to file this notice with the county election board is **12:00** noon, prevailing local time, on Friday, July 15, 2016. (IC 3-8-7-28) Upon receipt of this notice, the county election board will not certify that individual's name as a candidate for the general election. Notice to withdraw candidacy presented after July 15, 2016 at 12:00 noon will not be accepted for filing unless the candidate is disqualified under IC 3-8-1-5 or has moved from the election district the candidate sought to represent.

The general election candidate withdrawal form (CAN-24) is available from the Election Division's office, on the Division's website, and each circuit court clerk's office. A CAN-24 is included in this Guide under the *Candidate Forms* tab.

C. Libertarian Party Candidates

1. Filing Requirements

Libertarian Party candidates are not nominated in a primary election, but are nominated by political party convention. (IC 3-8-4-10)

The Libertarian Party will nominate candidates for the office of circuit court clerk or county offices at the Party's county conventions. Candidates for these offices should contact the Libertarian Party's state committee for information concerning any candidate filing requirements.

Libertarian Party candidates for the office of circuit court clerk or county offices are **not** required to file declarations of candidacy with the county election board. Instead, the Libertarian Party chair and secretary will certify the Party's nominees to the county election board (CAN-22)

Indiana law requires all Libertarian candidates for county office to file a statement of economic interests along with the certificate of nomination. (IC 3-8-9-5) The statement of economic interests (CAN-12) is available at each circuit court clerk's office and is included in the Guide under the *Candidate Forms* tab.

2. Candidate Withdrawal Requirements

If a nominee for the office of circuit court clerk or a county office wishes to withdraw from the Libertarian Party ticket for the general election, the nominee must file a written notice of candidate withdrawal with the county election board. The **DEADLINE** to file this notice with the county election board is **12:00** noon, prevailing local time, on Friday, July 15, 2016. (IC 3-8-7-28) Upon receipt of this notice, the county election board will not certify that individual's name as a candidate for the general election. Notice to withdraw candidacy presented after July 15, 2016 at 12:00 noon will not be accepted for filing unless the candidate is disqualified under IC 3-8-1-5 or has moved from the election district the candidate sought to represent.

The general election candidate withdrawal form (CAN-24) is available from the Election Division's office, on the Division's website, and each circuit court clerk's office. A CAN-24 is included in this Guide under the *Candidate Forms* tab.

D. Minor Party and Independent Candidates

1. Filing Requirements

This section addresses the filing and petition requirements for a person who does not intend to affiliate with the Democratic, Libertarian or Republican Party, and who does not intend to be a write-in candidate.

A person who wishes to become an independent candidate or a candidate of a minor party not qualified to nominate candidates in a primary election or by political party convention, and who wishes be a candidate for the office of circuit court clerk or a county office at the general election, must file a statement of economic interests (CAN-12 form), written consent to become a candidate (CAN-20 form) and a petition of nomination (CAN-19 form) with the county election board. (IC 3-8-6-12 and IC 3-8-6-14(a))

Each candidate nominated by petition of nomination must satisfy all statutory eligibility requirements for the office for which the candidate is nominated. (IC 3-8-6-14(b))

The statement of economic interest (CAN-12), written consent form (CAN-20), and petition of nomination form (CAN-19) are available from the Election Division's office, on the Division's website, and each circuit court clerk's office. A CAN-12, CAN-19 and CAN-20 are included in this Guide under the *Candidate Forms* tab.

In order to be placed on the general election ballot, an independent or minor party candidate must obtain signatures of registered voters in the election district the candidate seeks to represent. A petition of nomination must be signed by the number of registered voters equal to 2% of the total votes cast for secretary of state in the 2014 general election **in the election district** the candidate seeks to represent. Any fraction in excess of a whole number is disregarded in computing this figure. (IC 3-8-6-3) Signatures on any petition of nomination must be those of registered voters of the state who reside in the district the candidate seeks to represent. (IC 3-8-6-2)

EXAMPLE: A candidate for the office of circuit court clerk must obtain signatures of registered voters equal to 2% of the total votes cast for secretary of state in the 2014 general election in the county.

Circuit court clerks should have information on the precinct votes for the office of secretary of state in the 2014 general election to help determine the number of signatures required for a candidate seeking ballot placement by petition of nomination. A chart listing the 2% ballot access requirement for each county is included under the 2014 Vote for Secretary of State tab of this Guide.

For a petition of nomination to be considered valid, the county voter registration office in the county where the individual signing the petition is registered must certify whether each person who signs the petition is a registered voter at the residence listed in the petition at the time the county processes the petition and in the election district the candidate seeks to represent. This certification must accompany and be a part of the petition of nomination. (This certification is on the reverse side of the CAN-19 form.) (IC 3-8-6-10; IC 3-8-6-11)

A petition carrier is required to sign an affidavit at the bottom of each page of the petition prior to filing with the county voter registration office.

The **first day** a candidate for the office of circuit court clerk or a county office may submit the petition of nomination (CAN-19), accompanied by the written consent form (CAN-20) to the county voter registration office for certification is **Wednesday**, **January 6**, **2016** and the **DEADLINE** for filing is **12:00 noon**, **prevailing local time**, **Thursday**, **June 30**, **2016**. (IC 3-8-6-12)

For candidates for the office of circuit court clerk or county offices, once the county voter registration office certifies the petitions of nomination, these certified petitions along with the candidate's consent (CAN-20 form) must be filed with the county election board. The **DEADLINE** for filing the statement of economic interest (CAN-12), certified petition of nomination (CAN-19), accompanied by the written consent form (CAN-20) with the county election board is **12:00 noon**, **prevailing local time**, **Friday**, **July 15, 2016**. (IC 3-8-6-10; IC 3-8-6-12) The county is required to reject a declaration of candidacy that does not include a statement of economic interest. (IC 3-8-9-6) The county voter registration office must file the certified petitions of nomination with the county election board. However, the candidate for the office of circuit court clerk or a county office may request that the county voter registration office return the original petitions to the candidate so that the candidate may file the certified petitions (along with the CAN-20 form) with the county election board to be placed on the general election ballot. (IC 3-8-6-10)

2. Nominating Petition Requirements

Candidates or political party members may wish to contact county voter registration offices to coordinate the processing of nominating petitions. Some county offices prefer to process all petitions for a candidate at the same time, while others are willing to process partial submissions.

Sometimes a county voter registration office rejects a signature on a nominating petition because the individual who signed the petition is not a registered voter of the election district of the office sought by the candidate. Although a minor variation between the name or address of a petition signer and the name or address on the county voter registration records does not invalidate the signature, a substantial variation renders the signature invalid. Reasonable doubts must be resolved in favor of the signer of the petition. (IC 3-5-6)

3. Political Party Names

A candidate may not submit a petition of nomination requesting ballot placement for a political party whose name would result in voter confusion due to its similarity with another party's name. If the candidate declines to amend the petition to remove this confusion, the petition may be challenged, and shall be denied if the county election board finds that confusion would exist. (IC 3-8-6-5.5) A candidate must indicate whether the candidate is affiliated with any other candidate or group of candidates filing a petition under the same political party name. (IC 3-8-6-5)

4. Candidate Withdrawal Requirements

The **DEADLINE** for a person nominated by petition for the office of circuit court clerk or a county office who wishes to withdraw from the general election ballot to file a written notice of candidate withdrawal with the county election board is **12:00 noon, prevailing local time, on Friday, July 15, 2016.** (IC 3-8-7-28) Upon receipt of this notice, the county election board will not certify that individual's name as a candidate for the general election. **Notice to withdraw candidacy presented after July 15, 2016 at 12:00 noon will not be accepted for filing unless the candidate is disqualified under IC 3-8-1-5 or has moved from the election district the candidate sought to represent.**

The general election candidate withdrawal form (CAN-24) is available from the Election Division's office, on the Division's website, and each circuit court clerk's office. A CAN-24 is included in this Guide under the *Candidate Forms* tab.

E. Write-in Candidates

1. Filing Requirements

Indiana law provides that only votes for declared write-in candidates are counted. (IC 3-12-1-1.7(a))

A person who desires to be a write-in candidate for the office of circuit court clerk or a county office in the general election on Tuesday, November 8, 2016 must file a statement of economic interest (CAN-12 form) and declaration of intent to be a write-in candidate (CAN 3 form) with the county election board. (IC 3-8-2-2.5) A county is required to reject a declaration that does not contain a statement of economic interests. (IC 3-8-9-6)

The CAN-12 and CAN-3 forms are available from the Election Division's office, on the Division's website, and each circuit court clerk's office. The CAN-12 and CAN-3 are included in this Guide under the *Candidate Forms* tab.

The first day a write-in candidate may file the CAN-3 and CAN-12 form with the county election board is **Wednesday**, **January 6**, **2016** and the **DEADLINE** for filing is **12:00 noon**, **prevailing local time**, **Tuesday**, **July 5**, **2016**. (IC 3-8-2-2.5; IC 3-8-2-4; IC 3-8-2-5; IC 3-11-2-11.5)

2. Candidate Withdrawal Requirements

The **DEADLINE** for a person who files a declaration of intent to be a write-in candidate for the office of circuit court clerk or a county office to file a written notice of candidate withdrawal with the county election board is **12:00 noon**, **prevailing local time**, **on Friday**, **July 15**, **2016**. (IC 3-8-7-28) Upon receipt of this notice, the county election board will not certify that individual's name as a candidate for the general election. **Notice to withdraw candidacy presented after July 15**, **2016 at 12:00 noon will not be accepted for filing unless the candidate is disqualified under IC 3-8-1-5 or has moved from the election district the candidate sought to represent.**

The general election candidate withdrawal form (CAN-24) is available from the Election Division's office, on the Division's website, and each circuit court clerk's office. A CAN-24 is included in this Guide under the *Candidate Forms* tab.

3. Political Party Affiliation

A write-in candidate may claim affiliation with a political party other than the Democratic, Libertarian, or Republican Parties (the parties whose nominee for Secretary of State of Indiana received at least 2% of the total votes cast in the most recent election for the office of Secretary of State (November 2014)). IC 3-8-2-2.5

However, if a write-in candidate claims affiliation with a political party:

- (1) that already has ballot access,
- (2) of a candidate who has previously filed a petition of nomination under IC 3-8-6, or
- (3) whose name would result in voter confusion due to its similarity with the name of the political party in (1) or (2),

then a registered voter in the election district may question the validity of the filing under IC 3-8-1-2. The election board shall determine the validity of the questioned filing. If the election board determines that the candidate's stated party affiliation would result in voter confusion due to its similarity with another party's name, and the candidate declines to amend the declaration to remove this confusion, then the board shall deny the filing. (IC 3-8-2-12.5)

TOWNSHIP OFFICES

TOWNSHIP BOARD MEMBER

NOTE: The only township officials to be elected in 2016 are some township board members in Marion County.

A. Qualifications

1.Township Board Member

In Marion County, each township board has seven members. In Marion County, township board members are elected only by voters of the district. These candidates must be registered voters of the township board district. (IC 36-6-6-2.2)

IC 3-8-1-1 provides that:

- "...(b) A person is not qualified to run for: ...
 - (2) A local office; . . .

unless the person is registered to vote in the election district the person seeks to represent not later than the deadline for filing the declaration or petition of candidacy or certificate of nomination."

IC 3-8-1-5 provides that:

"Sec. 5. (a) This section does not apply to a candidate for federal office.

- (b) As used in this section, "felony" means a conviction in any jurisdiction for which the convicted person might have been imprisoned for more than one (1) year. However, the term does not include a conviction:
- (1) for which the person has been pardoned; or
- (2) that has been:
- (A) reversed;
 - (B) vacated;
- (C) set aside;
- (D) not entered because the trial court did not accept the person's guilty plea; or (E) expunded under IC 35-38-9.
- (c) A person is disgualified from assuming or being a candidate for an elected office if:
- (1) the person gave or offered a bribe, threat, or reward to procure the person's election, as provided in Article 2, Section 6 of the Constitution of the State of Indiana;
- (2) the person does not comply with IC 5-8-3 because of a conviction for a violation of the federal laws listed in that statute:
- (3) in a:
- (A) jury trial, a jury publicly announces a verdict against the person for a felony;
- (B) bench trial, the court publicly announces a verdict against the person for a felony; or
- (C) guilty plea hearing, the person pleads guilty or nolo contendere to a felony;
- (4) the person has been removed from the office the candidate seeks under Article 7, Section 11 or Article 7, Section 13 of the Constitution of the State of Indiana;
- (5) the person is a member of the United States armed forces on active duty and prohibited by the United States Department of Defense from being a candidate; or
- (6) the person is subject to:
- (A) 5 U.S.C. 1502 (the Little Hatch Act); or
- (B) 5 U.S.C. 7321-7326 (the Hatch Act);

and would violate either federal statute by becoming or remaining the candidate of a political party for nomination or election to an elected office or a political party office.

(d) The subsequent reduction of a felony to a Class A misdemeanor under IC 35-50-2-7 or IC 35-38-1-1.5 after the:

- (1) jury has announced its verdict against the person for a felony;
- (2) court has announced its verdict against the person for a felony; or
- (3) person has pleaded guilty or nolo contendere to a felony; does not affect the operation of subsection (c)."

IC 3-8-1-33 provides that:

"Sec. 33. (a) A candidate for an office listed in subsection (b) must file a statement of economic interests.

(b) Whenever a candidate for any of the following offices is also required to file a declaration of candidacy or is nominated by petition, the candidate shall file a statement of economic interests before filing the declaration of candidacy or declaration of intent to be a write-in candidate, before the petition of nomination is filed, before the certificate of nomination is filed, or before being appointed to fill a candidate vacancy under IC 3-13-1 or IC 3-13-2:

* * *

(4) A candidate for a local office..., in accordance with IC 3-8-9, except a candidate for a local office described in subdivision (3)." (Subdivision 3 requires certain judge and prosecutor candidates to already file statements of economic interest)

A candidate for local office (other than judge or prosecuting attorney) is required to file a statement of economic interest (CAN-12). **The circuit court clerk must reject a declaration of candidacy that does not include the CAN-12 statement.** This form is available from the Election Division's office, on the Division's website, and each circuit court clerk's office. A CAN-12 form is included in this Guide under the *Candidate Forms* tab

B. Democratic and Republican Party Candidates Nominated at the Primary Election

1. Filing Requirements

Candidates for a township office from the Democratic or Republican Party will be nominated at the primary election to be held on Tuesday, May 3, 2016.

A candidate for the nomination for a township office by the Democratic or Republican Party must file a statement of economic interest and declaration of candidacy with the county election board. (IC 3-8-2-6) The county is required to reject a declaration of candidacy that does not include a statement of economic interest. (IC 3-8-9-6) (Petitions signed by registered voters are **NOT** required of Democratic or Republican Party candidates for the office of circuit court clerk and county offices.)

The first day to submit a declaration of candidacy to the county election board is Wednesday, January 6, 2016, and the DEADLINE to file is 12:00 noon, prevailing local time, Friday, February 5, 2016. (IC 3-8-2-4; IC 3-8-2-5) A statement of economic interest or declaration of candidacy presented after February 5, 2016 at 12:00 noon will not be accepted for filing unless the candidate is disqualified under IC 3-8-1-5 or has moved from the election district the candidate sought to represent.

The statement of economic interest (CAN-12) and declaration of candidacy form (CAN-2) are available from the Election Division's office, on the Division's website, and each circuit court clerk's office. A CAN-2 and CAN-12 are included in this Guide under the *Candidate Forms* tab.

2. Political Party Affiliation

Indiana Code 3-8-2-7 sets forth the standard for determining the political party affiliation of a candidate who files a declaration of candidacy for a primary election. The political party affiliation of the candidate is deemed to be:

- (1) the political party in whose primary in Indiana the candidate most recently voted; or
- (2) the political party of the county chair of the county in which the candidate resides who certifies that the candidate is a member of that political party.

3. Candidate Withdrawal Requirements

Primary Election Candidate Withdrawal

A candidate for a township office who filed with the county election board a declaration of candidacy for the primary election, may file written notice of candidate withdrawal with the county election board certifying that the individual no longer wishes to be a candidate. The **DEADLINE** to file this notice with the county election board is **12:00 noon, prevailing local time, Monday, February 8, 2016**. (IC 3-8-2-20) Upon receipt of this notice, the county election board will **not** certify that individual's name as a candidate for the primary election. (IC 3-8-2-21) **Notice of candidate withdrawal filed after February 8, 2016 at 12:00 noon will not be accepted for filing unless the candidate is disqualified under IC 3-8-1-5 or has moved from the election district the candidate sought to represent.**

The primary election candidate withdrawal form (CAN-10) is available from the Election Division's office, on the Division's website, and each circuit court clerk's office. A CAN-10 is included in this Guide under the *Candidate Forms* tab.

General Election Candidate Withdrawal

After the primary, if a nominee for a township office wishes to withdraw from the ticket for the general election, the nominee must file a written notice of candidate withdrawal with the county election board. The **DEADLINE** to file this notice with the county election board is **12:00 noon**, **prevailing local time**, **on Friday**, **July 15**, **2016**. (IC 3-8-7-28) Upon receipt of this notice, the county election board will **not** certify that individual's name as a candidate for the general election. **Notice to withdraw candidacy presented after July 15**, **2016** at **12:00 noon will not be accepted for filing unless the candidate is disqualified under IC 3-8-1-5 or has moved from the election district the candidate sought to represent.**

The general election candidate withdrawal form (CAN-24) is available from the Election Division's office, on the Division's website, and each circuit court clerk's office. A CAN-24 is included in this Guide under the *Candidate Forms* tab.

C. Libertarian Party Candidates

1. Filing Requirements

Libertarian Party candidates are not nominated in a primary election, but are nominated by political party convention. (IC 3-8-4-10)

The Libertarian Party will nominate candidates for township offices at the Party's county conventions. Candidates for these offices should contact the Libertarian Party's state committee for information concerning any candidate filing requirements.

Libertarian Party candidates for township offices are **not** required to file declarations of candidacy with the county election board. Instead, the Libertarian Party chair and secretary will certify the Party's nominees to the county election board. (CAN-22)

Indiana law now requires all Libertarian candidates for township offices to file a statement of economic interests along with the certificate of nomination. (IC 3-8-9-5) The statement of economic interests (CAN-12) is available at each circuit court clerk's office and is included in the Guide under the Candidate Forms tab.

2. Candidate Withdrawal Requirements

If a nominee for a township office wishes to withdraw from the Libertarian Party ticket for the general election, the nominee must file a written notice of candidate withdrawal with the county election board. The **DEADLINE** to file this notice with the county election board is **12:00 noon**, **prevailing local time**, **on Friday**, **July 15**, **2016**. (IC 3-8-7-28) Upon receipt of this notice, the county election board will not certify that individual's name as a candidate for the general election. **Notice to withdraw candidacy presented after July 15**, **2016** at **12:00 noon will not be accepted for filing unless the candidate is disqualified under IC 3-8-1-5 or has moved from the election district the candidate sought to represent.**

The general election candidate withdrawal form (CAN-24) is available from the Election Division's office, on the Division's website, and each circuit court clerk's office. A CAN-24 is included in this Guide under the *Candidate Forms* tab.

D. Minor Party and Independent Candidates

1. Filing Requirements

This section addresses the filing and petition requirements for a person who does not intend to affiliate with the Democratic, Libertarian or Republican Party, and who does not intend to be a write-in candidate.

A person who wishes to become an independent candidate or a candidate of a minor party not qualified to nominate candidates in a primary election or by political party convention, and who wishes be a candidate for a township office at the general election, must file a statement of economic interest (CAN-12), written consent to become a candidate (CAN-20 form) and a petition of nomination (CAN-19 form) with the county election board. (IC 3-8-6-12 and IC 3-8-6-14(a)) The county is required to reject a declaration of candidacy that does not include a statement of economic interest. (IC 3-8-9-6)

Each candidate nominated by petition of nomination must satisfy all statutory eligibility requirements for the office for which the candidate is nominated. (IC 3-8-6-14(b))

The statement of economic interest (CAN-12), written consent form (CAN-20) and petition of nomination form (CAN-19) are available from the Election Division's office, on the Division's website, and each circuit court clerk's office. A CAN-12, CAN-19 and CAN-20 are included in this Guide under the *Candidate Forms* tab.

To be placed on the general election ballot, an independent or minor party candidate must obtain signatures of registered voters in the election district the candidate seeks to represent. A petition of nomination must be signed by the number of registered voters equal to 2% of the total votes cast for secretary of state in the 2014 general election **in the election district** the candidate seeks to represent. Any fraction in excess of a whole number is disregarded in computing this figure. (IC 3-8-6-3) Signatures on any petition of nomination must be those of registered voters of the state who reside in the district the candidate seeks to represent. (IC 3-8-6-2)

EXAMPLE: A candidate for the office of a Marion County township board member must obtain signatures of registered voters equal to 2% of the total votes cast for secretary of state in the 2014 general election in that township board election district.

The Marion County Circuit Court Clerk's office should have information on the precinct votes for the office of secretary of state in the 2014 general election to help determine the number of signatures required for a candidate seeking ballot placement as a township board member by petition of nomination.

For a petition of nomination to be considered valid, the county voter registration office in the county where the individual signing the petition is registered must certify whether each person who signs the petition is a registered voter at the residence listed in the petition at the time the county processes the petition and in the election district the candidate seeks to represent. This certification must accompany and be a part of the petition of nomination. (This certification is on the reverse side of the CAN-19 form.) (IC 3-8-6-10; IC 3-8-6-11)

A petition carrier is required to sign an affidavit at the bottom of each page of the petition prior to filing with the county voter registration office.

The **first day** a candidate for a township office may submit the petition of nomination, accompanied by the written consent form (CAN-20) to the county voter registration office for certification is **Wednesday**, **January 6, 2016** and the **DEADLINE** for filing is **12:00 noon, prevailing local time, Thursday, June 30, 2016**. (IC 3-8-6-12)

For candidates for township offices, once the county voter registration office certifies the petitions of nomination, these certified petitions along with the candidate's consent (CAN-20 form) must be filed with the county election board. The **DEADLINE** for filing the statement of economic interest (CAN-12), petition of nomination (CAN-19), accompanied by the written consent form (CAN-20) with the county election board is **12:00 noon, prevailing local time, Friday, July 15, 2016**. (IC 3-8-6-10; IC 3-8-6-12) The county voter registration office must file the certified petitions of nomination with the county election board. However, the candidate for a township office may request that the county voter registration office return the original petitions to the candidate so that the candidate may file the certified petitions (along with the CAN-20 form) with the county election board to be placed on the general election ballot. (IC 3-8-6-10)

2. Nominating Petition Requirements

Candidates or political party members may wish to contact county voter registration offices to coordinate the processing of nominating petitions. Some county offices prefer to process all petitions for a candidate at the same time, while others are willing to process partial submissions.

Sometimes a county voter registration office rejects a signature on a nominating petition because the individual who signed the petition is not a registered voter of the election district of the office sought by the candidate.. Although a minor variation between the name or address of a petition signer and the name or address on the county voter registration records does not invalidate the signature, a substantial variation renders the signature invalid. Reasonable doubts must be resolved in favor of the signer of the petition. (IC 3-5-6)

3. Political Party Names

A candidate may not submit a petition of nomination requesting ballot placement for a political party whose name would result in voter confusion due to its similarity with another party's name. If the candidate declines to amend the petition to remove this confusion, the petition shall be denied. (IC 3-8-6-5.5) A candidate must indicate whether the candidate is affiliated with any other candidate or group of candidates filing a petition under the same political party name. (IC 3-8-6-5)

4. Candidate Withdrawal Requirements

The **DEADLINE** for a person nominated by petition for a township office who wishes to withdraw from the general election ballot to file a written notice of candidate withdrawal with the county election board is **12:00 noon**, **prevailing local time**, **on Friday**, **July 15**, **2016**. (IC 3-8-7-28) Upon receipt of this notice, the county election board will not certify that individual's name as a candidate for the general election. **Notice to withdraw candidacy presented after July 15**, **2016** at **12:00 noon will not be accepted for filing unless the candidate is disqualified under IC 3-8-1-5 or has moved from the election district the candidate sought to represent.**

The general election candidate withdrawal form (CAN-24) is available from the Election Division's office, on the Division's website, and each circuit court clerk's office. A CAN-24 is included in this Guide under the *Candidate Forms* tab.

E. Write-in Candidates

1. Filing Requirements

Indiana law provides that only votes for declared write-in candidates are counted. (IC 3-12-1-1.7(a))

A person who desires to be a write-in candidate for a township office in the general election on Tuesday, November 8, 2016 must file a statement of economic interest (CAN-12 form) and declaration of intent to be a write-in candidate (CAN 3 form) with the county election board. (IC 3-8-1-33 and IC 3-8-2-2.5) The county is required to reject a declaration of intent to be a write-in candidate that does not include a statement of economic interest. (IC 3-8-9-6)

The CAN-12 and CAN-3 form are available from the Election Division's office, on the Division's website, and each circuit court clerk's office. A CAN-12 and CAN-3 are included in this Guide under the *Candidate Forms* tab.

The first day a write-in candidate may file the CAN-12 and CAN-3 forms with the county election board is **Wednesday**, **January 6**, **2016** and the **DEADLINE** for filing is **12:00 noon**, **prevailing local time**, **Thursday**, **July 5**, **2016**. (IC 3-8-2-2.5; IC 3-8-2-4; IC 3-8-2-5; IC 3-11-2-11.5)

2. Candidate Withdrawal Requirements

The **DEADLINE** for a person who files a declaration of intent to be a write-in candidate for a township office to file a written notice of candidate withdrawal with the county election board is **12:00 noon**, **prevailing local time**, **on Friday**, **July 15**, **2016**. (IC 3-8-7-28) Upon receipt of this notice, the county election board will not certify that individual's name as a candidate for the general election. **Notice to withdraw candidacy presented after July 15**, **2016** at **12:00 noon will not be accepted for filing unless the candidate is disqualified under IC 3-8-1-5 or has moved from the election district the candidate sought to represent.**

The general election candidate withdrawal form (CAN-24) is available from the Election Division's office, on the Division's website, and each circuit court clerk's office. A CAN-24 is included in this Guide under the *Candidate Forms* tab.

3. Political Party Affiliation

A write-in candidate may claim affiliation with a political party other than the Democratic, Libertarian, or Republican Parties (the parties whose nominee for Secretary of State of Indiana received at least 2% of the total votes cast in the most recent election for the office of Secretary of State (November 2014)). IC 3-8-2-2.5

However, if a write-in candidate claims affiliation with a political party: (1) that already has ballot access, (2) of a candidate who has previously filed a petition of nomination under IC 3-8-6, or (3) whose name would result in voter confusion due to its similarity with the name of the political party in (1) or (2), then a registered voter in the election district may question the validity of the filing under IC 3-8-1-2. The election board shall determine the validity of the questioned filing. If the election board determines that the candidate's stated party affiliation would result in voter confusion due to its similarity with another party's name, and the candidate declines to amend the declaration to remove this confusion, then the board shall deny the filing. (IC 3-8-2-12.5)

SCHOOL BOARD OFFICES SCHOOL BOARD MEMBER

A. General Information

The procedures for selecting school board members are usually set forth in the "school corporation organization plan" adopted by the school corporation during the school consolidation process of the 1950s and 1960s, and as subsequently amended. (IC 20-23, IC 20-23-6 and IC 20-23-9)

In certain school corporations, all or some of the school board members are appointed rather than elected by the voters. (IC 20-23-4-28) All school corporations that elect school board members elect those members at the same time as the general election (November 8, 2016, or in certain cases, in November 2018). Some school board members are elected "at large" for the entire school corporation, while others are elected to represent specific **districts** that are only part of the school corporation territory.

IN ALL CASES, CANDIDATES FOR SCHOOL BOARD APPEAR ON THE BALLOT WITHOUT A PARTY DESIGNATION. (IC 20-23-4-29(e))

B. Qualifications for Candidates and for Assuming Office

A few school corporations have school boards organized by state legislation. Candidates for school board in the following jurisdictions should consult the appropriate state statute for detailed information concerning candidate qualifications and election procedures:

Gary	IC 20-23-12
Hammond	IC 20-23-13 and IC 20-23-8-13
Indianapolis Public Schools	IC 20-25-3
Lake Station	IC 20-23-14
South Bend	IC 20-23-15
Mishawaka	IC 20-23-17
East Chicago	IC 20-23-17.2

IC 3-8-1-34 provides that:

- "(a) A candidate for a school board office must have resided in the school corporation for at least one (1) year before the election, unless a longer period is required under IC 20.
- (b) This subsection applies to a candidate for school board office seeking to represent an election district that consists of less than the entire school corporation. The candidate must have resided in the election district for at least one (1) year before the election."

IC 3-8-1-1 provides that:

- "... (b) A person is not qualified to run for: ...
 - (2) A school board office; . . .

unless the person is registered to vote in the election district the person seeks to represent not later than the deadline for filing the declaration or petition of candidacy or certificate of nomination."

IC 3-8-1-5 provides that:

Sec. 5. (a) This section does not apply to a candidate for federal office.

- (b) As used in this section, "felony" means a conviction in any jurisdiction for which the convicted person might have been imprisoned for more than one (1) year. However, the term does not include a conviction:
- (1) for which the person has been pardoned; or
- (2) that has been:

- (A) reversed;
 - (B) vacated;
- (C) set aside;
- (D) not entered because the trial court did not accept the person's guilty plea; or (E) expunged under IC 35-38-9.
- (c) A person is disqualified from assuming or being a candidate for an elected office if:
- (1) the person gave or offered a bribe, threat, or reward to procure the person's election, as provided in Article 2, Section 6 of the Constitution of the State of Indiana;
- (2) the person does not comply with IC 5-8-3 because of a conviction for a violation of the federal laws listed in that statute;
- (3) in a:
- (A) jury trial, a jury publicly announces a verdict against the person for a felony;
- (B) bench trial, the court publicly announces a verdict against the person for a felony; or
- (C) guilty plea hearing, the person pleads guilty or nolo contendere to a felony;
- (4) the person has been removed from the office the candidate seeks under Article 7, Section 11 or Article 7, Section 13 of the Constitution of the State of Indiana;
- (5) the person is a member of the United States armed forces on active duty and prohibited by the United States Department of Defense from being a candidate; or
- (6) the person is subject to:
- (A) 5 U.S.C. 1502 (the Little Hatch Act); or
- (B) 5 U.S.C. 7321-7326 (the Hatch Act);
- and would violate either federal statute by becoming or remaining the candidate of a political party for nomination or election to an elected office or a political party office.
- (d) The subsequent reduction of a felony to a Class A misdemeanor under IC 35-50-2-7 or IC 35-38-1-1.5 after the:
- (1) jury has announced its verdict against the person for a felony;
- (2) court has announced its verdict against the person for a felony; or
- (3) person has pleaded guilty or nolo contendere to a felony; does not affect the operation of subsection (c).

IC 3-8-1-33 provides that:

- "Sec. 33. (a) A candidate for an office listed in subsection (b) must file a statement of economic interests.
- (b) Whenever a candidate for any of the following offices is also required to file a declaration of candidacy or is nominated by petition, the candidate shall file a statement of economic interests before filing the declaration of candidacy or declaration of intent to be a write-in candidate, before the petition of nomination is filed, before the certificate of nomination is filed, or before being appointed to fill a candidate vacancy under IC 3-13-1 or IC 3-13-2: . . .
- (4) A candidate for a...school board office, in accordance with IC 3-8-9...."

IC 20-26-4-9 provides that:

"An individual who is at least twenty-one (21) years of age and is otherwise eligible to assume office as a member of a governing body may not be disqualified on the basis of age."

IC 20-26-4-11 provides that:

"(A)n individual who is employed as a teacher or as a noncertified employee (as defined in IC 20-29-2-11) of the school corporation may not be a member of the governing body of the school corporation."

C. Filing Requirements

A candidate for a school board office must file a statement of economic interest and petition of nomination. (IC 3-8-2.5-2) The county is required to reject a declaration of candidacy that does not include a statement of economic interest. (IC 3-8-9-6) The statement of economic interest (CAN-12) and petition form (CAN-34) are available from the Election Division, the Division's website, and each circuit court clerk's office. The CAN-12 and CAN-34 are included in this Guide under the Candidate Forms tab.

In a metropolitan school corporation, the petition must be signed by ten (10) registered voters residing in the same board member district as the nominee. (IC 20-23-7-8.1)

In a community school corporation, the petition must be signed by ten (10) registered voters residing within the boundaries of the school corporation. (IC 20-23-4-29.1)

Additional petition requirements may apply in some school corporations. School board member candidates should consult a personal attorney if necessary.

1. General Election

Candidates for school board office on the general election ballot will be elected at the general election to be held on Tuesday, November 8, 2016.

A candidate for the election of school board office at the general election must file the petition of nomination with the county election board located in the county seat of the county containing the greatest percentage of population of the school corporation. (IC 3-8-2-6)

The **first day** for a candidate for a school board office to file a petition of nomination with the county election board is **Wednesday**, **July 27**, **2016**, and the **DEADLINE** is **12:00 noon**, **prevailing local time**, **on Friday**, **August 26**, **2016**. (IC 3-8-2.5-4; IC 20-23-4-29.1; IC 20-23-7-8.1; IC 20-23-12-5; IC 20-23-14-5; IC 20-23-17-3; and IC 20-23-17.2-5)

D. Candidate Withdrawal

School board candidates may file a withdrawal of their candidacy not later than **noon**, **Monday**, **August 29**, **2016**.

The general election candidate withdrawal form (CAN-24) is available from the Election Division's office, the Division's website, and each circuit court clerk's office. A CAN-24 is included in this Guide under the *Candidate Forms* tab.

E. Write-in Candidates

Indiana law provides that only votes for declared write-in candidates are counted. (IC 3-12-1-1.7(a))

A person who desires to be a write-in candidate for a school board office at the general election on Tuesday, November 8, 2016 must file a statement of economic interest (CAN-12) and a declaration of intent to be a write-in candidate (CAN-3 form) with the county election board located in the county seat of the county containing the greatest percentage of population of the school corporation. (IC 3-8-2-2.5; IC 3-8-2-4; IC 20-4-1-26.4)) The county is required to reject a declaration of candidacy that does not include a statement of economic interest. (IC 3-8-9-6)

The CAN-12 and CAN-3 forms are available from the Election Division's office, on the Division's website, and each circuit court clerk's office. The CAN-12 and CAN-3 forms are included in this Guide under the *Candidate Forms* tab.

The **first day** a write-in candidate for a school board office may file the CAN-12 and CAN-3 forms with the county election board for the general election is **Wednesday**, **August 10**, **2016** and the **DEADLINE** for filing is **12:00 noon**, **prevailing local time**, **Friday**, **August 26**, **2016**. (IC 3-8-2-2.5; IC 3-8-2.5-4; IC 20-4-1-26.4)

Candidate Withdrawal Requirements

Declared write-in candidates for school board may file a withdrawal of their candidacy not later than **noon, Monday, August 29, 2016.** (IC 3-8-2.5-4)

The general election candidate withdrawal form (CAN-24) is available from the Election Division's office, the Division's website, and each circuit court clerk's office. A CAN-24 is included in this Guide under the Candidate's Forms tab.

"SMALL TOWN" OFFICES

Town Council Member Town Clerk-Treasurer Town Judge

Indiana has no elections to city offices (Mayor, Common Council, Judge of the City Court) in 2016. These offices were elected at the municipal election in 2015. Most town offices were also elected in 2015. However, some towns will elect officers in 2016. In these towns that elect officers in a general election year, state law requires the county election board to conduct the elections for the town. IC 3-10-7-2.

The towns using the procedures described in this chapter will be referred to as "small towns."

Municipal Primaries

A town with a population of less than 3,500 may adopt an ordinance to provide for a nomination of Democratic and Republican candidates for town office in a primary election (instead of by town convention). The town council must adopt the ordinance not later than January 1 of the year in which a municipal election is held (2015, for example), and the town clerk-treasurer shall file a copy of the ordinance with the circuit court clerk in the county that contains the greatest percentage of the town's population. (IC 3-8-5-2)

If the town council adopts such an ordinance, the county election board shall conduct the primary election for the town according to the statutes governing primary elections, including the times for filing a declaration of candidacy under IC 3-8-2-4. The town may not change the method of nominating candidates for town offices more than one time in any 12 year period. (IC 3-8-5-2(e))

A. Qualifications

1. Town Council Member

Each town is required to elect a town council. (IC 36-5-2)

IC 3-8-1-1 provides that:

"... (b) A person is not qualified to run for... (2) A local office... unless the person is registered to vote in the election district the person seeks to represent not later than the deadline for filing the declaration or petition of candidacy or certificate of nomination."

IC 3-8-1-29 provides that:

"A candidate for membership of a town council must reside in the district in which seeking election, if applicable."

IC 3-8-1-5 Disqualification of candidates provides that:

Sec. 5. (a) This section does not apply to a candidate for federal office.

- (b) As used in this section, "felony" means a conviction in any jurisdiction for which the convicted person might have been imprisoned for more than one (1) year. However, the term does not include a conviction:
 - (1) for which the person has been pardoned; or
 - (2) that has been:
 - (A) reversed;
 - (B) vacated:

- (C) set aside;
- (D) not entered because the trial court did not accept the person's guilty plea;
 - (E) expunged under IC 35-38-9.
- (c) A person is disqualified from assuming or being a candidate for an elected office if:
 - (1) the person gave or offered a bribe, threat, or reward to procure the person's election, as provided in Article 2, Section 6 of the Constitution of the State of Indiana;
- (2) the person does not comply with IC 5-8-3 because of a conviction for a violation of the

federal laws listed in that statute;

(3) in a:

or

- (A) jury trial, a jury publicly announces a verdict against the person for a felony;
 - (B) bench trial, the court publicly announces a verdict against the person for a felony; or
- (C) guilty plea hearing, the person pleads guilty or nolo contendere to a felony;
- (4) the person has been removed from the office the candidate seeks under Article 7, Section 11 or Article 7, Section 13 of the Constitution of the State of Indiana;
- (5) the person is a member of the United States armed forces on active duty and prohibited by the United States Department of Defense from being a candidate; or (6) the person is subject to:
 - (A) 5 U.S.C. 1502 (the Little Hatch Act); or
 - (B) 5 U.S.C. 7321-7326 (the Hatch Act);

and would violate either federal statute by becoming or remaining the candidate of a political party for nomination or election to an elected office or a political party office.

- (d) The subsequent reduction of a felony to a Class A misdemeanor under IC 35-50-2-7 or IC 35-38-1-1.5 after the:
 - (1) jury has announced its verdict against the person for a felony;
 - (2) court has announced its verdict against the person for a felony; or
- (3) person has pleaded guilty or nolo contendere to a felony; does not affect the operation of subsection (c).

Number of Town Council Members

In a town, the town council consists of at least three (3) members, but no more than seven (7) members. The number of town council members in each town was originally set by the county commissioners when the commissioners incorporated the town under IC 36-5-1-10.1. The number of town council members can be increased or decreased within this range only after the voters of the town approve a proposal to do so at a referendum. (IC 36-5-2-4.2)

Election Schedule

As a general rule, all town council members are elected for four year terms at each municipal election year (2015, 2019, etc.). (IC 3-10-7-6) However, a town can alter this election schedule by adopting one of several types of ordinances permitted under state law.

A town may adopt an ordinance to provide for "staggered terms" for town council members by providing that at the next municipal election, some council members will be elected for three year terms, and the other council members will be elected for four year terms. After the first "short terms" for town council members are over, this system results in the town electing some town council members in the "non-presidential general election year" (2018, 2022), and the other town council members in the ordinary municipal election years (2015, 2019). (IC 3-10-6-2.5)

Some towns adopted similar "staggered term" ordinances under state laws that have since been

repealed, or have expired (IC 18-3-1-16(b), repealed 1981; P.L. 13-1982, SECTION 3, expired 1988). These towns have the additional option of adopting an ordinance to move the election date for all town offices (including town council) to the "presidential general election year" (2012, 2016). (IC 3-10-6-3) This changeover is accomplished by electing all town officers to a "short term" of one year at the municipal election 2015, 2019), and then electing successors to a full four year term.

Consult with the town clerk-treasurer or town attorney for more information about any such ordinances.

Unopposed Candidates

In some "small towns" there may be no more than one nominee for each office, and no declared write-in candidates for any town office. When this occurs, a municipal election may not be held for these offices in the municipal election year **if the entire membership of the county election board adopts a resolution NOT to hold an election in this situation**. (IC 3-10-7-6) The individuals currently serving in these town offices automatically serve another four year term as "holdovers" under Article 15, Section 3 of the Constitution of the State of Indiana. **However, if there is an election for any office of the town, all nominees for each town office must be on the municipal election ballot.**

EXCEPTIONS: The printing of all nominees on the town's municipal election ballot is not required in certain cases: (1) if there is an election for at least one town council member, only the voters within that town council election district are eligible to vote for the town council seat, there is no election for an office to be voted on by all the voters of the town, and the county election board adopts, by unanimous vote of its members, a resolution to conduct an election only in the town council district; or (2) there is only one nominee for an office or only one declared write-in for an office, as a result there is no contest for a town office, and the county election board adopts, by a unanimous vote of its members a resolution not to conduct an election for a municipal office (IC 3-10-7-6).

Districts

As a general rule, town council members in small towns must be elected from districts. The number and boundaries of these districts were originally set by the county commissioners when the town was incorporated by the commissioners and may be recorded in the minutes of the Commissioners' meetings kept by the County Auditor.

In a town with a population of less than 3,500, the town council may adopt an ordinance to abolish town council districts. If this town has also adopted an ordinance to nominate major party candidates for town office by primary election, then all town council candidates in this town will run at large. (IC 36-5-2-4.1(h))

In other towns, the town council must adopt an ordinance to reestablish town council district boundaries in 2022 and each ten years after a U.S. census is conducted. (IC 36-5-2-4.1(g))

The town must specify by ordinance how town council members are to be elected from these districts. The ordinance may provide: (1) that all council members must reside in their districts, but are to be elected at large by all the voters of the town; (2) that all council members must reside in their districts, but to be elected only by the voters of that district; or (3) for some combination of (1) and (2) specified by the ordinance. (IC 36-5-2-5) Consult with the town clerk-treasurer or town attorney for more information about any such ordinances.

2. Town Clerk-Treasurer

Each town is required to elect a town clerk-treasurer. The town clerk-treasurer is elected by all the voters of the town. (IC 36-5-6-4)

IC 3-8-1-1 provides that:

"... (b) A person is not qualified to run for... (2) A local office... unless the person is registered to vote in the election district the person seeks to represent not later than the deadline for filing the declaration or petition of candidacy or certificate of nomination."

IC 3-8-1-5 Disqualification of candidates provides that:

- Sec. 5. (a) This section does not apply to a candidate for federal office.
 - (b) As used in this section, "felony" means a conviction in any jurisdiction for which the convicted person might have been imprisoned for more than one (1) year. However, the term does not include a conviction:
 - (1) for which the person has been pardoned; or
 - (2) that has been:
 - (A) reversed:
 - (B) vacated;
 - (C) set aside;
 - (D) not entered because the trial court did not accept the person's guilty plea;

or

- (E) expunged under IC 35-38-9.
- (c) A person is disqualified from assuming or being a candidate for an elected office if:
 - (1) the person gave or offered a bribe, threat, or reward to procure the person's election, as provided in Article 2, Section 6 of the Constitution of the State of Indiana;
- (2) the person does not comply with IC 5-8-3 because of a conviction for a violation of the

federal laws listed in that statute;

- (3) in a:
- (A) jury trial, a jury publicly announces a verdict against the person for a felony;
 - (B) bench trial, the court publicly announces a verdict against the person for a felony; or
- (C) guilty plea hearing, the person pleads guilty or nolo contendere to a felony;
- (4) the person has been removed from the office the candidate seeks under Article 7, Section 11 or Article 7, Section 13 of the Constitution of the State of Indiana;
- (5) the person is a member of the United States armed forces on active duty and prohibited by the United States Department of Defense from being a candidate; or (6) the person is subject to:
 - (A) 5 U.S.C. 1502 (the Little Hatch Act); or
 - (B) 5 U.S.C. 7321-7326 (the Hatch Act);

and would violate either federal statute by becoming or remaining the candidate of a political party for nomination or election to an elected office or a political party office.

- (d) The subsequent reduction of a felony to a Class A misdemeanor under IC 35-50-2-7 or IC 35-38-1-1.5 after the:
 - (1) jury has announced its verdict against the person for a felony;
 - (2) court has announced its verdict against the person for a felony; or
- (3) person has pleaded guilty or nolo contendere to a felony; does not affect the operation of subsection (c).

3. Town Judge

Each town is required to elect a town judge if the town has created a town court by ordinance. (IC 33-35-1-1) The town judge is elected by all the voters of the town. (IC 33-35-1-3)

IC 3-8-1-1 does not apply to a candidate for judge of a town court.

IC 3-8-1-1.5 provides that:

"... (b) A person is not qualified to run for [town court judge] unless not later than the deadline for filing the declaration or petition of candidacy or certificate of nomination, the person is registered to vote in a county in which the municipality is located."

IC 3-8-1-5 Disqualification of candidates provides that:

- Sec. 5. (a) This section does not apply to a candidate for federal office.
 - (b) As used in this section, "felony" means a conviction in any jurisdiction for which the convicted person might have been imprisoned for more than one (1) year. However, the term does not include a conviction:
 - (1) for which the person has been pardoned; or
 - (2) that has been:
 - (A) reversed;
 - (B) vacated:
 - (C) set aside;
 - (D) not entered because the trial court did not accept the person's guilty plea;

or

- (E) expunged under IC 35-38-9.
- (c) A person is disqualified from assuming or being a candidate for an elected office if:
 - (1) the person gave or offered a bribe, threat, or reward to procure the person's election, as provided in Article 2, Section 6 of the Constitution of the State of Indiana;
- (2) the person does not comply with IC 5-8-3 because of a conviction for a violation of the

federal laws listed in that statute:

- (3) in a:
- (A) jury trial, a jury publicly announces a verdict against the person for a felony:
 - (B) bench trial, the court publicly announces a verdict against the person for a felony; or
- (C) guilty plea hearing, the person pleads guilty or nolo contendere to a felony;
- (4) the person has been removed from the office the candidate seeks under Article 7, Section 11 or Article 7, Section 13 of the Constitution of the State of Indiana;
- (5) the person is a member of the United States armed forces on active duty and prohibited by the United States Department of Defense from being a candidate; or (6) the person is subject to:
 - (A) 5 U.S.C. 1502 (the Little Hatch Act); or
 - (B) 5 U.S.C. 7321-7326 (the Hatch Act);

and would violate either federal statute by becoming or remaining the candidate of a political party for nomination or election to an elected office or a political party office.

- (d) The subsequent reduction of a felony to a Class A misdemeanor under IC 35-50-2-7 or IC 35-38-1-1.5 after the:
 - (1) jury has announced its verdict against the person for a felony;
 - (2) court has announced its verdict against the person for a felony; or
 - (3) person has pleaded guilty or nolo contendere to a felony;

does not affect the operation of subsection (c).

B. Democratic and Republican Candidates Nominated at Primary Elections

A small town may adopt an ordinance to elect some or all of the town's officers in 2016. (IC 3-10-7-2.7; 3-10-7-2.9) A town may also adopt an ordinance providing for the nomination of Democratic and Republican candidates at a primary election. (IC 3-8-5-2). If major party candidates are to be nominated for election to a town office at a primary election to be held on May 3, 2016, the same filing, political party affiliation, and candidate withdrawal requirements apply that are applicable to such candidates for county offices.

C. Democratic, Libertarian, and Republican Party Candidates Nominated At Town Conventions

1. Filing Requirements

A candidate for nomination to a town office by the Democratic, Libertarian, or Republican Party must file a declaration of candidacy with the county election board. (IC 3-8-2-6)

Whenever the election district for a town office includes more than one county, the declaration of candidacy must be filed with the county election board located in the county seat of the county that contains the greatest percentage of population of the election district. (IC 3-8-2-6)

Candidate Filing Deadlines

The first day to file a declaration of candidacy and statement of economic interest for office in a small town is Wednesday, January 6, 2016, and the DEADLINE to file is 12:00 noon, prevailing local time, on Monday, August 1, 2016.

The Town Office Declaration of Candidacy by a Democratic, Libertarian, or Republican Candidate When No Town Primary is Conducted in 2016 form (CAN-16) and the Statement of Economic Interests for Local and School Board Offices forms (CAN-12) are available from the Election Division's office and each circuit court clerk's office. A CAN-16 and CAN-12 are included in this Guide under the Candidate's Forms tab.

Town Convention Candidate Filing Deadlines

Sunday, August 21, 2016 is the last day for the Democratic, Libertarian, and Republican parties to conduct a town convention to choose between competing candidates in the same party for the same town office. (IC 3-8-5-10; IC 3-8-5-17)

Monday, August 29, 2016, by 12:00 noon, prevailing local time, is the last day for the Democratic, Libertarian, and Republican party chairman and secretary of a town convention to file a certificate of candidate selection with the county election board setting forth the nominees of the Democratic, Libertarian, or Republican party town convention. (IC 3-8-5-13; IC 3-8-5-17)

2. Candidate Withdrawal Requirements

Monday, August 1, 2016, by 12:00 noon, prevailing local time is the DEADLINE an individual may file a notice of withdrawal of a declaration of candidacy previously filed with the county election board to be the nominee of the Democratic, Libertarian, or Republican Party for town office in a small town. (IC 3-8-5-10.5; IC 3-8-5-17) Notice to withdraw candidacy presented after August 1, 2016 at 12:00 noon will not be accepted for filing unless the candidate is disqualified under IC 3-8-1-5 or has moved from the election district the candidate sought to represent.

The general election candidate withdrawal form (CAN-24) is available from the Election Division's office and each circuit court clerk's office. A CAN-24 is included in this Guide under the *Candidate's Forms* tab.

Town Convention Candidate Withdrawal

A Democrat, Republican, or Libertarian candidate who wishes to withdraw from the race following nomination at the convention must file their written notice of withdrawal no later than NOON, prevailing time, 3 days after the adjournment of the convention. (IC 3-8-5-14.5; IC 3-8-5-17) A notice to withdraw filed after NOON, 3 days following adjournment of the convention will not be accepted for filing unless the candidate is disqualified under IC 3-8-1-5 or has moved from the election district the candidate sought to represent.

There is no state-approved town office convention candidate withdrawal form. The CAN-24 form can be adapted for this purpose. A CAN-24 is included in this Guide under the *Candidate's Forms* tab.

C. Minor Party and Independent Candidates

1. Filing Requirements

This section addresses the filing and petition requirements for a person who does not intend to affiliate with the Democratic, Libertarian or Republican Party, and who does not intend to be a write-in candidate.

A person who wishes to become an independent candidate or a candidate of a minor party not qualified to nominate candidates in a primary election or by political party convention, and who wishes be a candidate for a town office at the municipal election, must file a written consent to become a candidate for the town office (CAN-20 form), a petition of nomination (CAN-19 form), and a Statement of Economic Interests for Local and School Board Offices form (CAN-12) with the county election board. (IC 3-8-6-12; 3-8-6-14(a) Indiana law requires the county to reject a petition that does not include a statement of economic interests. (IC 3-8-9-6)

More than one minor party candidate can be nominated on the same petition form if each of the candidates is seeking an office that serves the entire town (town clerk-treasurer and at large town council member, for example). If offices serve different legislative districts (such as town council members elected only by voters of a specific district), then the candidates for office must use separate petition forms.

More than one *independent* candidate for town office <u>cannot</u> be nominated on the same petition form. (IC 3-8-6-4)

Each candidate nominated by petition of nomination must satisfy all statutory eligibility requirements for the office for which the candidate is nominated. (IC 3-8-6-14)

A petition carrier is required to sign an affidavit at the bottom of each page of the petition prior to filing with the county voter registration office.

The written consent form (CAN-20), petition of nomination form (CAN-19), and statement of economic interests form (CAN-12) are available from the Election Division's office and each circuit court clerk's office. A CAN-20, CAN-19, and CAN-12 are included in this Guide under the *Candidate Forms* tab.

To be placed on the municipal election ballot, an independent or minor party candidate must obtain signatures of registered voters in the election district the candidate seeks to represent. A petition of nomination must be signed by the number of registered voters equal to 2% of the total votes cast for

secretary of state in the 2014 general election **in the election district** the candidate seeks to represent. Any fraction in excess of a whole number is disregarded in computing this figure. (IC 3-8-6-3) Signatures on any petition of nomination must be those of registered voters of the state who reside in the district the candidate seeks to represent. (IC 3-8-6-2)

EXAMPLE: A candidate for the office of town council member must obtain signatures of registered voters equal to 2% of the total votes cast for **all** candidates for secretary of state in the 2014 general election in that town council district.

Circuit court clerks should have information on the votes by precinct for the office of secretary of state in the 2014 general election to help determine the number of signatures required for a candidate seeking ballot placement by petition of nomination. However, the candidate may be required to make an initial calculation of the number of votes cast for secretary of state within the town council district, or the town as a whole. In some cases, there may not be an exact match between town council districts and precinct boundaries, so a precise minimum number of signatures necessary for ballot access may be impossible to calculate. Candidates seeking nomination by petition may wish to use a higher figure based on the votes cast for this office in all precincts **wholly or partially** within the town or town council district to ensure that the candidate has a sufficient number of valid signatures.

For a petition of nomination to be considered valid, the county voter registration office in the county where the individual signing the petition is registered must certify whether each person who signs the petition is a registered voter at the residence address listed in the petition at the time the county processes the petition. This certification must accompany and be a part of the petition of nomination. (This certification is on the reverse side of the CAN-19 form.) (IC 3-8-6-10; 3-8-6-11)

The **first day** a candidate for a town office may submit the petition of nomination, accompanied by the written consent form (CAN-20) to the county voter registration office for certification is **Wednesday**, **January 6, 2016** and the **DEADLINE** for filing is **12:00 noon, prevailing local time, Thursday, June 30, 2016.** (IC 3-8-6-12)

For candidates for town offices, once the county voter registration office certifies the petitions of nomination, these certified petitions along with the candidate's consent (CAN-20 form) and statement of economic interests (CAN-12) must be filed with the county election board. The **DEADLINE** for filing the petition of nomination (CAN-19), accompanied by the written consent form (CAN-19) and the statement of economic interest form (CAN-12) with the county election board is **12:00 noon, prevailing local time, Friday, July 15, 2016**. (IC 3-8-6-10; IC 3-8-6-12) The county voter registration office must file the certified petitions of nomination with the county election board. However, the candidate for a town office may request that the county voter registration office return the original petitions to the candidate so that the candidate may file the certified petitions (along with the CAN-20 form and CAN-12 form) with the county election board to be placed on the municipal election ballot. (IC 3-8-6-10)

2. Nominating Petition Requirements

Candidates or political party members may wish to contact county voter registration offices to coordinate the processing of nominating petitions. Some county offices prefer to process all petitions for a candidate at the same time, while others are willing to process partial submissions.

Sometimes a county voter registration office rejects a signature on a nominating petition because the individual who signed the petition is not a registered voter of the election district for the office sought by the candidate, or has changed the individual's address without notifying the county voter registration office. Although a minor variation between the name or address of a petition signer and the name or address on the county voter registration records does not invalidate the signature, a substantial variation renders the signature invalid. Reasonable doubts must be resolved in favor of the signer of the petition. (IC 3-5-6)

3. Political Party Names

A candidate may not submit a petition of nomination requesting ballot placement for a political party whose name would result in voter confusion due to its similarity with another party's name. If the candidate declines to amend the petition to remove this confusion, the petition may be challenged, and shall be denied by the county election board if the board finds that confusion would exist. (IC 3-8-6-5.5) A candidate must indicate whether the candidate is affiliated with any other candidate or group of candidates filing a petition under the same political party name. (IC 3-8-6-5)

4. Candidate Withdrawal Requirements

The **DEADLINE** for a person nominated by petition for a town office who wishes to withdraw from the general election ballot to file a written notice of candidate withdrawal with the county election board is **12:00 noon, prevailing local time, on Friday, July 15, 2016**. (IC 3-8-7-28) Upon receipt of this notice, the county election board will not certify that individual's name as a candidate for the general election. **Notice to withdraw candidacy presented after July 15, 2016 at 12:00 noon will not be accepted for filing unless the candidate is disqualified under IC 3-8-1-5 or has moved from the election district the candidate sought to represent.**

The municipal election candidate withdrawal form (CAN-24) is available from the Election Division's office and each circuit court clerk's office. A CAN-24 is included in this Guide under the *Candidate Forms* tab.

Filling Candidate Vacancies

Monday, August 29, 2016, by 12:00 noon, prevailing local time, is the last day for a town chairman of a political party that submitted a petition of nomination for the election of candidates to town office to file a certificate of candidate selection to fill any candidate vacancy. The certificate must be accompanied by the candidate's written consent to the selection. (IC 3-13-1-18)

E. Write-in Candidates

1. Filing Requirements

Indiana law provides that only votes for declared write-in candidates are counted. (IC 3-12-1-1.7(a))

A person who desires to be a write-in candidate for a town office in the municipal election on Tuesday, November 8, 2016 must file a declaration of intent to be a write-in candidate (CAN-3 form) and Statement of Economic Interests for Local and School Board Offices (CAN-12) with the county election board. (IC 3-8-2-2.5) Indiana law requires the county to reject a declaration that does not include a statement of economic interest. (IC 3-8-9-6)

The CAN-3 form and CAN-12 are available from the Election Division's office and each circuit court clerk's office. A CAN-3 and CAN-12 are included in this Guide under the *Candidate Forms* tab.

The first day a write-in candidate may file the CAN-3 form and CAN-12 form with the county election board is Wednesday, January 6, 2016 and the DEADLINE for filing is 12:00 noon, prevailing local time, Tuesday, July 5, 2016. (IC 3-8-2-2.5; IC 3-8-2-4; IC 3-8-2-5; IC 3-11-2-11.5)

2. Candidate Withdrawal Requirements

The **DEADLINE** for a person who files a declaration of intent to be a write-in candidate for a town office to file a written notice of candidate withdrawal with the county election board is **12:00 noon**, **prevailing local time**, **on Friday**, **July 15**, **2016**. (IC 3-8-7-28) Upon receipt of this notice, the county election board will not certify that individual's name as a candidate for the general election. **Notice to withdraw candidacy presented after July 15**, **2016** at **12:00 noon will not be accepted for filing unless the candidate is disqualified under IC 3-8-1-5 or has moved from the election district the candidate sought to represent.**

The general election candidate withdrawal form (CAN-24) is available from the Election Division's office and each circuit court clerk's office. A CAN-24 is included in this Guide under the *Candidate Forms* tab.

3. Political Party Affiliation

A write-in candidate may claim affiliation with a political party other than the Democratic, Libertarian, or Republican Parties (the parties whose nominee for Secretary of State of Indiana received at least 2% of the total votes cast in the most recent election for the office of Secretary of State (November 2014)). IC 3-8-2-2.5

However, if a write-in candidate claims affiliation with a political party: (1) that already has ballot access, (2) of a candidate who has previously filed a petition of nomination under IC 3-8-6, or (3) whose name would result in voter confusion due to its similarity with the name of the political party in (1) or (2), then a registered voter in the election district may question the validity of the filing under IC 3-8-1-2. The county election board shall determine the validity of the questioned filing. If the county election board determines that the candidate's stated party affiliation would result in voter confusion due to its similarity with another party's name, and the candidate declines to amend the declaration to remove this confusion, then the board shall deny the filing. (IC 3-8-2-12.5)

PRECINCT COMMITTEEMEN AND STATE CONVENTION DELEGATES

A. Qualifications

NOTE: Precinct committeemen and state convention delegates are considered "political offices" and not "elected offices." (IC 3-5-2-17)

Although there is no *state law* requiring that a candidate for precinct committeeman or state convention delegate reside within the precinct or delegate district, *state political party rules* may restrict the ability of a political official who does not comply with a residency requirement to participate in party functions. Contact the Democratic State Committee or the Republican State Committee for more information on this point.

IC 3-8-1-32 provides that:

"A candidate for:

- (1) Precinct committeeman; or
- (2) Delegate to a state convention;

of each political party in the state whose nominee received at least ten percent (10%) of the total vote cast for secretary of state at the last election must comply with any candidate requirement set by state party rules."

B. Filing Requirements For Republican Party Precinct Committeemen and Democratic and Republican State Convention Delegates Elected at the Primary Election

Candidates for Republican Party precinct committeeman and Democratic or Republican state convention delegate will be elected at the primary election to be held on Tuesday, May 3, 2016.

The Republican Party will elect its precinct committeemen at the May 3, 2016 primary (IC 3-10-1-4.6) The Democratic Party will not elect its precinct committeemen until the May 2018 primary election.

A candidate for Republican Party precinct committeeman or Democratic or Republican state convention delegate must file a declaration of candidacy (CAN-37 form) with the county election board. (IC 3-8-2-6)

The first day to submit a declaration of candidacy to the county election board is Wednesday, January 6, 2016, and the DEADLINE to file is 12:00 noon, prevailing local time, Friday, February 5, 2016. (IC 3-8-2-4; IC 3-8-2-5) A declaration of candidacy presented after February 5, 2016 at 12:00 noon will not be accepted for filing.

The declaration of candidacy form (CAN-37) is available from the Election Division's office, on the Division's website, and each circuit court clerk's office. A CAN-37 is included in this Guide under the *Candidate Forms* tab.

C. Candidate Withdrawal Requirements

A candidate for precinct committeeman or state convention delegate may file written notice of candidate withdrawal with the county election board certifying that the individual no longer wishes to be a candidate. The **DEADLINE** to file this notice with the county election board is **12:00 noon, prevailing local time, Monday, February 8, 2016**. (IC 3-8-2-20) Upon receipt of this notice, the county election board will **not** certify that individual's name as a candidate for the primary election (IC 3-8-2-21). **Notice of candidate withdrawal presented after February 8, 2016 at 12:00 noon will not be accepted for filing.**

2014 Vote Totals for Indiana Secretary of State

	Total	Marsal and S
	SOS	Number of
0	Voters	Signatures
County	Cast	Needed*
Adams	7,480	149
Allen	72,873	1,457
Bartholomew	16,338	326
Benton	2,234	44
Blackford	2,669	53
Boone	13,754	275
Brown	5,231	104
Carroll	3,919	78
Cass	7,834	156
Clark	28,542	570
Clay	6,846	136
Clinton	5,867	117
Crawford	3,387	67
Daviess	6,298	125
Dearborn	10,321	206
Decatur	6,515	130
DeKalb	7,434	148
Delaware	22,348	446
Dubois	10,910	218
Elkhart	33,549	670
Fayette	5,493	109
Floyd	18,223	364
Fountain	3,893	77
Franklin	5,434	108
Fulton	5,066	101
Gibson	8,664	173
Grant	13,064	261
Greene	9,008	180
Hamilton	56,795	1,135
Hancock	14,221	284
Harrison	11,462	229
Hendricks	28,979	579
Henry	10,439	208
Howard	19,960	399
Huntington	7,308	146
Jackson	10,117	202
Jasper	6,785	135
Jay	4,867	97
Jefferson	8,863	177

County	Total SOS Voters Cast	Number of Signatures Needed*
County	7,192	143
Jennings	23,299	465
Johnson		201
Knox Kosciusko	10,074	
	16,417 24,036	328 480
La Porte	5,335	106
LaGrange Lake		
	89,437	1,788
Lawrence	9,339	186
Madison	28,685	573
Marion	158,757	3,175
Marshall	9,211	184
Martin	3,546	70
Miami	5,530	110
Monroe	26,501	530
Montgomery	8,560	171
Morgan	13,871	277
Newton	3,101	62
Noble	8,663	173
Ohio	2,094	41
Orange	5,104	102
Owen	4,835	96
Parke	4,572	91
Perry	5,622	112
Pike	4,131	82
Porter	39,528	790
Posey	7,234	144
Pulaski	3,502	70
Putnam	6,439	128
Randolph	5,746	114
Ripley	7,095	141
Rush	4,371	87
Scott	6,298	125
Shelby	8,859	177
Spencer	7,070	141
St. Joseph	57,116	1,142
Starke	5,698	113
Steuben	7,582	151
Sullivan	5,737	114
Switzerland	2,379	47

^{*}Pursuant to Indiana Code 3-8-6-3(b), the figures provided on this chart are rounded down in the case of a partial number. When an election district is larger than one county, the minimum number of signatures needed will be higher than the sum of the numbers on this chart. This does not apply to the given statewide figure, as that number is two percent of the total statewide votes cast in the state for Secretary of State.

2014 Vote Totals for Indiana Secretary of State

County	Total SOS Voters	Number of Signatures
County	Cast	Needed*
Tippecanoe	29,805	596
Tipton	4,820	96
Union	2,134	42
Vanderburgh	35,580	711
Vermillion	4,056	81
Vigo	20,945	418
Wabash	6,235	124
Warren	2,419	48
Warrick	15,518	310
Washington	6,904	138
Wayne	10,468	209
Wells	8,067	161
White	4,972	99
Whitley	7,516	150
STATEWIDE	1,334,995	26,699

^{*}Pursuant to Indiana Code 3-8-6-3(b), the figures provided on this chart are rounded down in the case of a partial number. When an election district is larger than one county, the minimum number of signatures needed will be higher than the sum of the numbers on this chart. This does not apply to the given statewide figure, as that number is two percent of the total statewide votes cast in the state for Secretary of State.

AppendixCandidate Forms

CAN-1	Candidate Filing Challenge
CAN-2	Declaration of Candidacy for Primary Nomination in 2016
CAN-3	Declaration of Intent to be a Write-in Candidate in 2016
CAN-4	Indiana Petition for Primary Ballot Placement as a Candidate for United States Senator in 2016
CAN-7	Request for Presidential Primary Ballot Placement in 2016
CAN-8	Indiana Petition for Presidential Primary Ballot Placement in 2016
CAN-10	2016 Primary Election Candidate Withdrawal
CAN-12	Statement of Economic Interest for Local and School Board Offices
CAN-16	Town Office Declaration of Candidacy by a Democratic, Libertarian, or Republican Party Candidate when No Town Primary is Conducted in 2016
CAN-19	Petition of Nomination for Federal, State, State Legislature or Local Office in 2016
CAN-20	Consent of Independent or Minor Political Party Candidate Nominated by Petition for Election in 2016
CAN-24	2016 General Election Candidate Withdrawal
CAN-25	Petition for Primary Ballot Placement as a Candidate for Governor in 2016
CAN-26	Declaration of Intent to be a School Board Write-In Candidate in 2016
CAN-31	Declaration of Candidacy and Written Consent to Fill a Ballot Vacancy in 2016
CAN-34	Petition of Nomination for School Board Office Elected in 2016
CAN-37	Declaration of Candidacy for Precinct Committeeman or State Convention Delegate in 2016
CAN-41	Allen County / Vanderburgh County Superior Court Judge Declaration of Candidacy in 2016



INSTRUCTIONS: This form is used by an individual seeking to challenge the following: the eligibility of a candidate, the declaration of candidacy, the declaration of intent to be a write-in candidate, a request for ballot placement, a petition or candidate's consent to nomination, a certificate of candidate selection, or by a candidate seeking to contest the denial of certification due to insufficient signatures by filing this form under IC 3-8-1-2 to request a hearing before the Indiana Election Commission, the county election board or the Lake or Tippecanoe County boards of elections and registration, or a town election board.

STATE OF INDIANA COUNTY OF		
GENERAL	INFORMATION	
l,	, th	e undersigned, certify the following:
I am (check one box):		
a registered voter of Precinct of the Tov	vnship of	,
(or of Ward of the City or Town of), County of	, State of Indiana;
☐ A county chairman of a major political party in which any part	of the election district of the office	e subject to this challenge is located; OF
☐ A candidate who submitted a petition of nomination under IC 3	3-8-6.	
(2) My residence address is:		
		, Indiana
Complete residence address must be inserted	City	ZIP Code
(3) My mailing address is (if different from residence address):		
Mailing address (Write "SAME" if both addresses are identical)	City	, Indiana ZIP Code
(4) If I am filing this challenge as a registered voter, my voter registra	•	
(5) If I am filing this challenge as a registered voter or a county polit who is a candidate for the office:	tical party chairman, I question tr	ne eligibility of the following individual,
Name of Candidate	Office sought (include District, if applicable)
(6) The following facts are known to me and lead me to believe that (attach additional sheets if necessary):	t the individual listed above is ine	eligible to be a candidate for this office
(7) If I am filing this challenge as a candidate, the following facts a my petition of nomination due to insufficient signatures or the count accordance with law, and I therefore request a hearing on this matt (attach additional sheets if necessary):	y voter registration office's failure	e to certify qualified petitioners is not in
CHALLENGER OR CA	ANDIDATE CERTIFICATION	
I swear or affirm under the penalties for perjury that the foregoing s	tatements are true, to the best of	f my knowledge and belief.
Signature Date signed (MM/L	DD/YY) Telephone (Day)	Telephone (Evening)
COUNTY OF STATE (OF	
Subscribed and sworn to before me this day of	, 20	SEAL
Notary Public or Other Official Administering Oath		

My Commission expires (applies only to Notary Public): ______ County of Residence: ___

(CAN-2)

DECLARATION OF CANDIDACY FOR PRIMARY NOMINATION IN 2016



State Form 46439 (R17 / 11-15) Indiana Election Division (IC 3-8-2-7)

INSTRUCTIONS: This form is used by an individual who is seeking the Democratic or Republican party nomination to an elected office in a primary election. A declaration of candidacy must be filed no later than NOON, February 5, 2016, and no earlier than January 6, 2016. Please print or type all information on this form except all signatures. SEE IMPORTANT INFORMATION ON BACK OF FORM. Candidates seeking the office of U.S. Senator in a primary election also file a CAN-4 form. Candidates seeking the office of Governor in a primary election also file a CAN-25 form. All candidates seeking a primary nomination for a LOCAL office must also file the CAN-12 form WITH this form.

STATE OF INDIANA)	
COUNTY OF	}	
	GENERAL INFORMATION	-
l,	the undersigned, certify	y the following:
Name of Candidate		
(1) I am a registered voter of Precinct	of the Township of	,
(or of Ward of the City or Town of), County of	, State of Indiana.
(2) I request that my name be placed on the official primary		
☐ Democratic Party or the ☐ Republican Party for the office		, District (if any)
to be voted on at the primary election to be held on May 3, 20		
(3) I am claiming affiliation with the Democratic or Repu	•	
in the last primary election in Indiana in which I voted. I under		
declaration a certificate from the appropriate county chairman		nber of this political party. I meet the requirement to
be affiliated with the political party indicated because <i>(check c</i>	,	20 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1
The most recent primary election in Indiana in which I vo	. , , , , ,	
The county chairman of the county in which I reside, and		i amiliation above, has certilled that i am a member of
the political party. (I have attached a copy of the county (4) (This paragraph does not apply to a candidate for fed	•	nents under the laws of the State of Indiana to be a
 (4) (This paragraph does not apply to a candidate for fee candidate for this office including any applicable residency rec 		
prohibit me from serving in this office.	quilettient. Tani not mengiore to se a or	andidate due to a chiminal conviction that would
promote the front contrag in the cause.		
	RESIDENCY INFORMATION	
(5) My complete residence address is:		
Complete weeklers and droop must be incorred		, IN (amend if other state)
Complete residence address must be inserted	City	ZIP Code
(6) My mailing address is (Write address if mailing address is	different from residence address; write	SAME" if both addresses are identical):
		, IN (amend if other state)
Mailing address	City	ZIP Code
CAN	IDIDATE NAME INFORMATION	
I request that my name appear on the primary election ballot i	in the following manner:	
(*Include an	ny Nickname and/or Suffix, Jr. Sr. II III	I IV)
I also request that my name on my voter registration record be	be the same as the name on this declar	ation of candidacy.
The candidate's name must comply with the requirements in India challenged under Indiana Code 3-8-1-2.	ana Code 3-5-7. If a candidate's name doe	es not comply with this state law, the declaration may be

*A candidate may use a nickname on the ballot only if the nickname is a name by which the candidate is commonly known and does not exceed 20 characters.

EXAMPLE: John R. (Jack) Doe A candidate may not use a title or degree as a designation or a designation that implies a title or degree.

	CANDIDATE CERTIF	FICATION				
(7) (This paragraph <u>does not</u> apply to federal office economic interest statement, file stamped by the this statement of economic interest has been file	office required to receive the	rledge that I hat hat hat hat hat he statement,	ave attached a or a receipt or	copy of the photocopy	e applicable staten of a receipt show	nent of ing that
(8) (This paragraph <u>does not</u> apply to a candidate for surety bond before serving in office. (initial here)	r federal office or state legisla —	tive office) By i	nitialing, I ackno	owledge that	t I might be required	d to file a
(9) (<i>This paragraph <u>does not</u> apply for candidates for</i> required to complete training or have attained certific				itialing, I ack	nowledge that I miq	ght be
(10) (This paragraph does not apply to a candidate for By initialing, I acknowledge that I am aware of the provided and expenditures, and agree to comply with the provided the state of the provided that the pro	rovisions of IC 3-9 regarding of	campaign finan ——	ce and the repc	orting of cam	paign finance conti	ributions
(11) I have been a candidate for state, state legislative Yes No (Check one) (If the answer to this question is no, skip paragra	,	, ,,	cipal, special, o	or general ele	ection:	
(12) I have filed all reports required by IC 3-9-5-10 fo	r all previous candidacies:	☐ Yes ☐ No	(Check one)			
(13) (This paragraph only applies to a candidate for a the local office receives compensation of less than \$ of organization for my principal candidate's committee campaign finance statement of organization not later	5,000 but the candidate raises e with the appropriate county	s or spends mo election board	ore than \$500.) OR am aware	I have filed a that I may b	a campaign finance be required to file th	statement ne
I certify that the information in this Declarat this office.	tion of Candidacy is true	and comple	te, and that I	meet the s	specific require	ments of
Signature		()_	nhana (Day)	() Telephone <i>(Evening)</i>	
Signature	Date Signed (MM/DD/11)	1 616	Jilone (Day)		releptione (Everiling)	
COUNTY OF)) SS:					
COUNTY OF	_)					
Subscribed and sworn to before me this day	y of	, 20	16.		SEAL	
lotary Public or Other Official Administering Oath acc					/	
My Commission expires (applies only to Notary Public):					
County of Residence:						

CAMPAIGN FINANCE NOTICE

-A candidate's committee must file a pre-primary campaign finance report no later than **NOON**, **April 15**, **2016**, with the Indiana Election Division (if a candidate for a state legislative office) or with the appropriate county election board (if a candidate for a local office nominated in the primary).

-The candidate's committee must also file a pre-primary supplemental report no later than forty-eight (48) hours after the committee receives any contribution of \$1,000 or more during the period beginning **April 9, 2016 and ending at 6:00 a.m. on May 1, 2016**, with the Indiana Election Division or appropriate county election board. If no such contribution is received, the candidate's committee is not required to file a supplemental report.

A candidate's committee must file a pre-election campaign finance report no later than **NOON**, **October 21**, **2016**, with the Indiana Election Division (if a candidate for a state legislative office) or with the appropriate county election board (if a candidate for a local office).

-The candidate's committee must also file a pre-election supplemental report no later than forty-eight (48) hours after the committee receives any contribution of \$1,000 or more during the period beginning **October 15, 2016 and ending at 6:00 a.m. November 6, 2016**, with the Indiana Election Division or appropriate county election board. If no such contribution is received, the candidate's committee is not required to file a supplemental report.

-A person who fails to file a report with the Indiana Election Division or a county election board is subject to a civil penalty of \$50 for each day the report is late, with the afternoon of the final date for filing the report being calculated as the first day, for a maximum penalty of not more than \$1,000, plus any investigative costs incurred and documented by the Election Division or county election board.

NOTE TO CANDIDATES FOR STATEWIDE OFFICE:

A candidate's committee must file "quarterly" campaign finance reports with the Indiana Election Division, according to the following schedule. These filings must be made electronically, and are subject to the same civil penalties set forth in the Campaign Finance Notice above. Contact the Campaign Finance Division of the Election Division for further information

The committee must file quarterly reports no later than noon, Indianapolis time:

- (1) April 15, 2016, covering the period from January 1, 2016 through March 31, 2016.
- (2) July 15, 2016, covering the period from April 1, 2016 through June 30, 2016.
- (3) October 17, 2016, covering the period from July 1, 2016 through September 30, 2016.
- (4) November 1, 2016, covering the period from October 1, 2016 through October 24, 2016.
- (5) January 18, 2017, covering the period from October 25, 2016 through December 31, 2016.

The candidate's committee must also file supplemental reports with the Indiana Election Division no later than forty-eight (48) hours after the committee receives contributions from a person that total \$1,000 or more during the reporting periods listed below. If no such contribution is received, the candidate's committee is not required to file a supplemental report.

- (1) Supplemental Reporting Period: April 1, 2016, through NOON, April 15, 2016.
- (2) Supplemental Reporting Period: July 1, 2016, through NOON, July 15, 2016.
- (3) Supplemental Reporting Period: October 1, 2016, through NOON, October 17, 2016.
- (4) Supplemental Reporting Period: October 25, 2016, through NOON, November 1, 2016.

(CAN-3)

DECLARATION OF INTENT TO BE A WRITE-IN CANDIDATE IN 2016



INSTRUCTIONS:

State Form 46438 (R18 / 11-15) Indiana Election Division (IC 3-8-2-2.5; 3-8-2-4(b))

A declaration of intent to be a write-in candidate in the general (1) not earlier than January 6, 2016; and (2) not later than NOON, July 5, 2016. Please print or type all information on this form except all signa All declared write-in candidates for election to a LOCAL of SEE IMPORTANT INFORMATION ON BACK OF FORM.	atures.	form.
STATE OF INDIANA)	
COUNTY OF)	
C	GENERAL INFORMATION	
I,Name of Candidate	the undersigned, certify the fol	llowing:
(1) I am a registered voter of Precinct	of the Township of	,
(or of Ward of the City or Town of state).		
 (2) I am (check one box and enter name of any applicable party an independent candidate (not affiliated with any party); OF ☐ affiliated with a party OTHER THAN the Democratic Party Party. 	R	nely the
(3) I declare my intention to be a write-in candidate for the to be voted on at the general election to be held on November		, District (if any)
(4) (This paragraph does not apply to a candidate for federal candidate for this office, including any applicable residence recognition of the prohibit me from serving in this office.	quirements. I am not ineligible to be a candida	late due to a criminal conviction that would
(5) (This paragraph applies to a candidate for President or of the individuals who have consented and are eligible to be m	•	ve attached a statement declaring the names
(6) My complete residence address is:	ESIDENCY INFORMATION	
Complete residence address must be inserted	,IN ((amend if other state) ZIP Code
(7) My mailing address is (Write address if mailing address is a	·	,
Mailing address	,IN	(amend if other state) ZIP Code

CANDIDATE NAME INFORMATION

be the same as the name on this declaration of candidacy and that a copy of this form be forwarded to the county voter registration office for any necessary change.

The candidate's name must comply with the requirements in Indiana Code 3-5-7. If a candidate's name does not comply with this state law, the declaration may be challenged under Indiana Code 3-8-1-2.

	CANDIDATE CERTIFICAT	ION	
(8) (This paragraph <u>does not</u> apply to federal office economic interest statement, file stamped by the othis statement of economic interest has been filed.	office required to receive the sta	that I have attached a determinent, or a receipt or p	copy of the applicable statement of ohotocopy of a receipt showing that
(9) (This paragraph <u>does not</u> apply to a candidate for to surety bond before serving in office. (initial here)	federal office or state legislative of 	fice) By initialing, I acknow	wledge that I might be required to file a
(10) (<i>This paragraph <u>does not</u> apply for candidates for</i> required to complete training or have attained certifica	r federal office, state office, or stattion related to service in office. (in	e legislative office.) By in itial here)	itialing, I acknowledge that I might be
(11) (This paragraph does not apply to a candidate for	r federal office.)		
By initialing, I acknowledge that I: am aware of the pro and expenditures, and agree to comply with the provis		aign finance and the repo	rting of campaign finance contributions
(12) I have been a candidate for state, state legislative Yes No (Check one) (If the answer to this question is no, skip paragrap			general election:
(13) I have filed all reports required by IC 3-9-5-10 for	all previous candidacies: Yes	☐ No (Check one)	
(14) (This paragraph applies only to a candidate for a if the local office receives compensation of less than \$ statement of organization for my principal candidate's the campaign finance statement of organization not lat	5,000 but the candidate raises or committee with the appropriate co	spends more than \$500.) Junty election board OR I	I have filed a campaign finance am aware that I may be required to file
I certify that the information in this Declaration this office.	on of Candidacy is true and	complete, and that I i	neet the specific requirements of
	// Date Signed (MM/DD/YY) ()	()
Signature	Date Signed (MM/DD/YY)	Telephone (Day)	() Telephone (Evening)
STATE OF)		
COUNTY OF) SS:)		
Subscribed and sworn to before me this day	of	, 2016.	SEAL
Notary Public or Other Official Administering Oath according	rding to IC 33-42-4-1		
My Commission expires (applies only to Notary Public):			
County of Residence:			

CAMPAIGN FINANCE NOTICE

- -A candidate's committee of a write-in candidate must file a campaign finance report no later than NOON, July 26, 2016, with the Indiana Election Division (if a candidate for a state legislative office) or with the appropriate county election board (if a candidate for a local office nominated in the primary).
- A candidate's committee must file a pre-election campaign finance report no later than NOON, October 21, 2016, with the Indiana Election Division (if a candidate for a state legislative office) or with the appropriate county election board (if a candidate for a local office nominated in the primary).
- -The candidate's committee must also file a pre-election supplemental report no later than forty-eight (48) hours after the committee receives any contribution of \$1,000 or more during the period beginning October 15, 2016 and ending at 6:00 a.m. on November 6, 2016, with the Indiana Election Division or appropriate county election board. If no such contribution is received, the candidate's committee is not required to file a supplemental report.
- -A person who fails to file a report with the Indiana Election Division or a county election board is subject to a civil penalty of \$50 for each day the report is late, with the afternoon of the final date for filing the report being calculated as the first day, for a maximum penalty of not more than \$1,000, plus any investigative costs incurred and documented by the Election Division or county election board.

NOTE TO CANDIDATES FOR STATEWIDE OFFICE:

A candidate's committee must file "quarterly" campaign finance reports with the Indiana Election Division, according to the following schedule. These filings must be made electronically, and are subject to the same civil penalties set forth in the Campaign Finance Notice above. Contact the Campaign Finance Division of the Election Division for further information.

The committee must file quarterly reports no later than noon, Indianapolis time:

- (1) April 15, 2016, covering the period from January 1, 2016 through March 31, 2016.
- (2) July 15, 2016, covering the period from April 1, 2016 through June 30, 2016.
- (3) October 17, 2016, covering the period from July 1, 2016 through September 30, 2016.
- 4) November 1, 2016, covering the period from October 1, 2016 through October 24, 2016.
- (5) January 18, 2017, covering the period from October 25, 2016 through December 31, 2016.

The candidate's committee must also file supplemental reports with the Indiana Election Division no later than forty-eight (48) hours after the committee receives contributions from a person that total \$1,000 or more during the reporting periods listed below. If no such contribution is received, the candidate's committee is not required to file a supplemental report.

- (1) Supplemental Reporting Period: April 1, 2016, through NOON, April 15, 2016.
- (2) Supplemental Reporting Period: July 1, 2016, through NOON, July 15, 2016.
- (3) Supplemental Reporting Period: October 1, 2016, through NOON, October 17, 2016.
- (4) Supplemental Reporting Period: October 25, 2016, through NOON, November 1, 2016.



INDIANA PETITION FOR PRIMARY BALLOT PLACEMENT AS A CANDIDATE FOR UNITED STATES SENATOR IN 2016 State Form 46434 (B12 / 6-15)

(CAN-4)

CARRIER'S FULL ADDRESS, INCLUDING ZIP CODE (number and street, city, state, and ZIP code)

/816	Indiana Election Division (IC				COUNTY:				
equire Candid	ISTRUCTIONS: This petition is used to nominate candidates for placement on the May 3, 2016 Democratic or Republican Primary Election Ballot for the office of United States Senator. Petitioners are not equired to provide precinct and congressional district information. The county voter registration office will complete this information after the petition is filed. Each candidate must also complete a Declaration of andidacy for Primary Nomination form (CAN-2). This petition must be filed with the appropriate county voter registration office for processing beginning January 6, 2016, and no later than NOON, ebruary 2, 2016. Once certified it must be filed, along with CAN-2, with the Secretary of State or Indiana Election Division no later than NOON, Feb. 5, 2016.								
Each o able to	E SECRETARY OF STATE OF INDIAN f the undersigned represents that: 1) the vote for the candidates listed below; attes of the (check only one box please)	he individual resides at the addreand each of the undersigned re	ess afte	r the individual's sig ly requests you to լ	gnature, 2) the individual is a duly qualified place the following names of legally qualified.	registered voter in Indiana, an ed candidates on the May 3, 2	d 3) the individual c 2016 Primary Electi	desires to be on Ballot as	
	Candidate Name (as establishe	ed on CAN-2 form)		Co	mplete Candidate Address		Office Sought		
	SIGNATURE	PRINTED NAME First L	_ast	DATE OF BIRTH MM/DD/YYYY	RESIDENCE ADDRESS (No P.O. Boxes) Number Street Apartment	CITY or TOWN & ZIP CODE	Office Use Only Precinct/Ward	Office Use Only Congress District	
1									
2									
3									
4									
5									
6									
7									
8									
9									
10									
		<u>'</u>			er Certification	-	<u> </u>	<u> </u>	
	iffirm under the penalties for perjury that I have no reason to believe that any individual whose signature appears on this page is ineligible to sign this petition or did not properly complete and sign this page.								
JAKKIE	R'S SIGNATURE	CARRIER'S PRINTED NAME		CARRIER	S DATE OF BIRTH (month, day, year)	DATE SIGNED BY CARRIER (mo	ntn, αay, year)		

County Voter Registration Office Certification								
County:		Number of Valid Signatures:						
I certify that, in	accordance with IC 3-8-2-9, I have reviewed the registration records of the petitioners on t		red voters of this County.					
		Number of Voters	Congressional District					
	the following Congressional District breakdown of petitioners on this petition							
wno are regi	stered voters:							
	Witness my/our hand and seal this							
	day of							
	, 2016, at	COU SEAL						
	, Indiana.							
Signature 1		☐ Clerk of the Circuit Court or						
		☐ Member of the Board of Registration						
Signature 2		☐ Member of the Board of Registration						
	County Voter Registrat	ion Office Certification						
County:		Number of Valid Signatures:						
I certify that, ir	n accordance with IC 3-8-2-9, I have reviewed the registration records of the petitioners on t		red voters of this County.					
		Number of Voters	Congressional District					
	the following Congressional District breakdown of petitioners on this petition							
who are regi	stered voters:							
	Witness my/our hand and seal this							
	day of	COU	NTY					
	2016 at	SEAL						
	, 2016, at							
	, Indiana.							
Signature 1		☐ Clerk of the Circuit Court or						
		☐ Member of the Board of Registration						
Signature 2		Member of the Board of Registration						
Oignature 2		☐ Member of the Board of Registration						
		Provided to Petitioner(s)						
I affirm under th	ne penalties for perjury that I assisted the following petitioners, due to disability, in writing the petition	oner's signature, printed name, and residence address on t	his petition:					
Names of Petitioners Assisted by me:								
DATE ASSISTA								
ASSISTER'S SIG	NATURE ASSISTER'S PRINTED NAME ASSISTER'S	ADDRESS (number and street, city, state, and ZIP code)						



REQUEST FOR PRESIDENTIAL PRIMARY BALLOT PLACEMENT IN 2016

(CAN-7)

State Form 46431 (R9 / 6-15) Indiana Election Division (IC 3-8-3-1)

INSTRUCTIONS: A candidate for the nomination of a major political party for the office of President of the United States shall file this request not earlier than **January 6, 2016** and no later **than NOON, February 5, 2016**. This request must be filed with the Indiana Election Division (or the Indiana Secretary of State) and accompanied by a certified petition (CAN-8 form). On the final day for filing, the CAN-7 form must be filed with the Secretary of State.

STATE OF INDIANA)		
COUNTY OF MARION)		
	GENERAL INFOR	RMATION	
I,	ocratic Party or the Re	publican Party for the office of	
	CANDIDATE NAME IN	NFORMATION	
I request that my name appear on the primary election I	ballot in the following man	ner:	
(*Inclu	ude any Nickname and/or	Suffix, Jr. Sr. II III IV)	
CANDIDAT	E CONTACT INFORM	IATION AND SIGNATURE	
I request that the Election Division send all notices or of	ther correspondence regal	rding this request to the followin	g mailing address:
Mailing Address			
City, State, ZIP Code			
Telephone Number			
	Candidate Sigr	nature	
STATE OF)))		
Subscribed and sworn to before me this day o	f	, 2016.	SEAL
Notary Public or Other Official Administering Oath			SEAL
Printed Name:			
My Commission expires (applies only to Notary Public): _ County of Residence:			



INDIANA PETITION FOR PRESIDENTIAL PRIMARY BALLOT PLACEMENT IN 2016

(CAN-8)

State Form 46435 (R10 / 6-15)

CARRIER'S FULL ADDRESS, INCLUDING ZIP CODE (number and street, city, state, and ZIP code)

/*	Indiana Election Division (IC 3-8-3-2)									
not Pre	NSTRUCTIONS: This petition is used to nominate candidates for placement on the May 3, 2016 Democratic or Republican Primary Election Ballot for the office of President of the United States. Petitioners are of required to provide precinct and congressional district information. The county voter registration office will complete this information after the petition is filed. Each candidate must also complete a Request for residential Primary Ballot Placement form (CAN-7). This petition must be filed with the appropriate county voter registration office for processing beginning January 6, 2016 and no later than NOON, anuary 26, 2016. Certified petitions with CAN-7 must be filed with Secretary of State or Indiana Election Division no later than NOON, February 5, 2016.									
то	THE SECRETARY OF STATE OF INDIAN	NA OR THE INDIANA ELECTION DIVIS	SION:							
Eac	ch of the undersigned represents that: 1) the to vote for the candidate listed below; are	the individual resides at the address aft	ter the individual's s	signature; 2) the in	dividual is a duly qualifi	ed registered voter in Indiana an	d 3) the individual de	esires to be		
	e to vote for the candidate listed below; an I 6 Primary Election Ballot as a candidate of					lined candidate for President of	the United States on	the May 3,		
	Candidate Name (as established on CAN-7 form) State where candidate resides									
	SIGNATURE	PRINTED NAME First Last	DATE OF BIRTH MM/DD/YYYY	RESIDENCE A	DDRESS (No P.O. Boxes) Street Apartmer	CITY or TOWN & ZIP CODE	Office Use Only Precinct/Ward	Office Use Only Congress District		
1										
2										
3										
4										
5										
6										
7										
8										
9										
10										
			Petition Carri	er Certification	n					
l aff	firm under the penalties for perjury that I have r	no reason to believe that any individual wh	nose signature appear	rs on this page is in	eligible to sign this petition	or did not properly complete and s	gn this page.			
							20			
CAF	RRIER'S SIGNATURE CARRIER'S PRINTED NAME CARRIER'S DATE OF BIRTH (month, day, year) DATE SIGNED BY CARRIER (month, day, year)									

	County Voter Registration Office Certification							
County:		Number of Valid Signatures:						
I certify that, in	n accordance with IC 3-8-3-3, I have reviewed the registration records of the petitioners on t	his petition and certify the above number to be registe						
		Number of Voters	Congressional District					
	the following Congressional District breakdown of petitioners on this petition							
who are regi	stered voters:							
	AAP:							
	Witness my/our hand and seal this							
	day of	COUNTY						
	day of							
	, 2016, at	SEAL	HERE					
	, Indiana.							
Signature 1		☐ Clerk of the Circuit Court or						
		☐ Member of the Board of Registration						
Signature 2								
		☐ Member of the Board of Registration						
County Voter Registration Office Certification								
County:		Number of Valid Signatures:						
I certify that, in	n accordance with IC 3-8-3-3, I have reviewed the registration records of the petitioners on t		red voters of this County.					
		Number of Voters	Congressional District					
	the following Congressional District breakdown of petitioners on this petition							
who are regi	stered voters:							
	Witness my/our hand and seal this							
	Withess my/our hand and sear this							
	day of							
		COUNTY SEAL HERE						
	, 2016, at							
	, Indiana.							
Signature 1		☐ Clerk of the Circuit Court or						
		Mambar of the Board of Bagistration						
Signature 2		☐ Member of the Board of Registration						
Signature 2		☐ Member of the Board of Registration						
	Affidavit of Assistance F	Provided to Petitioner(s)						
I affirm under th	ne penalties for perjury that I assisted the following petitioners, due to disability, in writing the petitio		his petition:					
			•					
Names of Petiti	Names of Petitioners Assisted by me:							
DATE ACCIOTA	, 20							
DATE ASSISTA	NCE PROVIDED (month, day, year)							
ASSISTER'S SIG	ASSISTER'S PRINTED NAME ASSISTER'S	ADDRESS (number and street, city, state, and ZIP code)						

2016 PRIMARY ELECTION CANDIDATE WITHDRAWAL State Form 46429 (R12 / 9-15) Indiana Election Division (IC 3-8-2-20)

INSTRUCTIONS: This form is used by a candidate for nomination who wishes to remove the candidate's name from the primary election ballot. This form can also be used by a candidate for precinct committeemen or political party state convention delegate to be elected at the same time as the primary election. This withdrawal must be received by the official with whom the Declaration of Candidacy was filed no later than **NOON**, **February 8**, **2016**.

To the Clerk of Ci Registration, or Indiana Election Division:	ircuit Court, the Lake or Tippecanoe County Board of Elections and
CAN	IDIDATE WITHDRAWAL
(1) I,	viously filed candidacy the undersigned,
· · · · · · · · · · · · · · · · · · ·	Democratic Party or the Republican Party for <i>(check one box)</i>
	, District (if any)
	gate District or At Large
election as a precinct committeeman for Precinct	t
to be voted on at the primary election to be held on N	May 3, 2016.
(2) My residence address is:	
	, Indiana
Complete Residence Address Must Be Inserted	, Indiana City ZIP Code
appear on the primary election ballot. Signature	r each appropriate county election board that I do not wish my name to
CERTIFICATE STATE OF	E OF ACKNOWLEDGMENT
COUNTY OF	
Before me, the undersigned, a notary public (or other officer author	rized to take acknowledgments) in and for
	County and the State of Indiana, personally appeared
	, the above-named candidate, and acknowledged the execution
of the above and foregoing instrument. Witness my hand and offici	sial seal this day of, 2016.
Notary Public or Other Official Administering Oath according	g to IC 33-42-4-1
My Commission expires (applies only to Notary Public):	SEAL
County of Residence:	





STATEMENT OF ECONOMIC INTERESTS FOR LOCAL AND SCHOOL BOARD OFFICES

State Form 55128 (11-12) Indiana Election Commission (IC 3-8-9)

INSTRUCTIONS: This statement must be filed with a candidate's: (1) declaration of candidacy for nomination at a primary or town party convention; (2) petition of nomination as a school board candidate; (3) petition of nomination as a minor party or independent candidate; (4) declaration of intent to be a write-in candidate; or (5) certificate of candidate selection to fill an early or late vacancy on a general or municipal election ballot. This statement must also be filed no later than noon 60 days after an individual assumes a vacant local office.

STATE OF INDIANA

ΓE: I	Insert "Not Applicable" where appropriate.
	Name of Candidate or Person Filling Vacant Office the undersigned, certify the following:
	Name of Candidate or Person Filling Vacant Office
(1)	The elected office which I seek as a candidate, or to which I have been appointed to fill a vacancy is
(2)	The name of my spouse is
(3)	The name of my employer and the nature of its business is
(4)	The name of the employer of my spouse and the nature of its business is
(5)	If I own a sole proprietorship, the name of the sole proprietorship and the nature of its business is
(6)	If I operate a professional practice, the name of the professional practice and the nature of its business is
(7)	If I am a member of a partnership, the name of the partnership and the nature of its business is
(8)	If my spouse is a member of a partnership, the name of the partnership and the nature of its business is
(9)	If I am a member of a limited liability company, the name of the limited liability company and the nature of its business is .
(10)) If my spouse is a member of a limited liability company, the name of the limited liability company and the nature of its busin is
(11)) If I am an officer or a director of a corporation (other than a church), the name of the corporation and the nature of its busi is
(12)) If my spouse is an officer or a director of a corporation (other than a church), the name of the corporation and the nature o business is

COMPLETE THE AFFIRMATION ON REVERSE SIDE OF THIS FORM.

I, the undersigned, affirm that the information set forth on this Stateme	nt of Economic Interests is true and complete.
Signed, this the day of	_, 20:
Signature	
Printed Name	
STATE OF	20
	, 20 SEAL
My Commission expires (applies only to Notary Public): County of Residence:	





TOWN OFFICE DECLARATION OF CANDIDACY BY A DEMOCRATIC, LIBERTARIAN, OR REPUBLICAN PARTY CANDIDATE WHEN NO TOWN PRIMARY IS CONDUCTED IN 2016

State Form 46422 (R17 / 9-15) Indiana Election Division (IC 3-8-5-10.5)

INSTRUCTIONS: This form must be filed with the circuit court clerk of the county in which most of the town's population is located no earlier than **January 6, 2016** and no later than **NOON, August 1, 2016** before an election.

This form is to be used by a Democratic Party, Libertarian Party, or Republican Party candidate for a town office in a town that has a population of less than 3,500 in which no town primary will be conducted.

A candidate of any other political party (or an independent candidate) must use the CAN-19 and CAN-20 forms.

STATE OF INDIANA										
COUNTY OF	COUNTY OF									
GENERAL INFORMATION										
I,			the undersigned,							
First Name of Candidate Middle Name of Candidate		Last Name of Candidate								
certify the following: (1) I am a registered voter of Precinct of tl	ho Township of									
(or of Ward of the City or Town of										
of the only of fown of), County of _		_, State of indiana.							
(2) I am a member of the (check one box) Democratic Party	Libertarian Party OR	☐ Republican Party								
(3) I am a candidate for the nomination to the office of		, District	(if any) in the							
Town of										
(4) I comply with all requirements under the laws of the State of Ir	ndiana to be a candidat	e for this office <i>(includi</i>	na any annlicable residency							
requirement), and I am not ineligible to be a candidate due to a crimination of the state of the		•								
RESIDENC	Y INFORMATION									
(5) My complete residence address is:										
		, Indiana								
Complete Residence Address Must Be Inserted	City	, malana	ZIP Code							
(6) My mailing address is (if different from residence address):										
		, Indiana								
Mailing Address (Write "SAME" if both addresses are identical)	City	, indiana	ZIP Code							
CANDIDATE N	IAME INFORMATION									
(7) I request that my name appear on the municipal election ballo	ot in the following manr	ner:								
(*Include any Nickname and/or	Suffix, Jr. Sr. II III IV)									
I also request that my name on my voter registration record be t of this form be forwarded to the county voter registration office fo			candidacy, and that a copy							
The candidate's name must comply with the requirements in Indiana Code 3-5-7. If	a candidate's name does no	ot comply with this state law, t	the declaration may be challenged							
under Indiana Code 3-8-1-2. *A candidate may use a nickname on the ballot only if the nickname is a name by w EXAMPLE: John R. (Jack) Doe A candidate may not use a title or degree as a des	which the candidate is commo	nly known and does not excet implies a title or degree.	ed 20 characters.							

CANDIDATE CERTIFICATION								
(8) By initialing, I acknowledge that I have attached a copy of the CAN-12 statement of economic interests, file stamped by the office of the appropriate circuit court clerk, or a receipt or photocopy of a receipt showing that this statement of economic interest has been filed. (initial here)								
(9) By initialling, I acknowledge that I might be required to file a surety bond before serving in office. (initial here)								
(10) By initialing, I acknowledge that I might be required to complete training or have attained certification related to service in office. (initial here)								
(11) By initialling, I acknowledge that I: am aware of the provisions of IC 3-9 regarding campaign finance and the reporting of campaign finance contributions and expenditures, and agree to comply with the provision of IC 3-9. (initial here)								
I, the undersigned, certify that the information in this Declaration of Candidacy is true and complete, and that I meet the specific requirements of this office.								
Signature	Data Signed (MM/DD/A)	() Telephone (Day)	Tolophono (Evoning)					
STATE OF	-))							
Subscribed and sworn to before me this		, 2016.	SEAL					
Notary Public or Other Official Administering Oa	th according to IC 33-42	2-4-1						
My Commission expires (applies only to Notary Pu	blic):							
County of Residence:	County of Residence:							

CAMPAIGN FINANCE NOTICE

A candidate's committee must file a pre-municipal election campaign finance report no later than **NOON**, **October 21**, **2016**, with the appropriate county election board.

The candidate's committee must also file a pre-municipal election supplemental report no later than forty-eight (48) hours after the committee receives contributions from a person that total \$1,000 or more during the period beginning **October 15, 2016 and ending at 6 a.m. November 6, 2016**, with the appropriate county election board. If no such contribution is received, the candidate's committee is not required to file a supplemental report.

A person who fails to file a report with the county election board is subject to a civil penalty of \$50 for each day the report is late, with the afternoon of the final date for filing the report being calculated as the first day, for a maximum penalty of not more than \$1,000, plus any investigative costs incurred and documented by the county election board.



CARRIER'S FULL ADDRESS, INCLUDING ZIP CODE

INDIANA PETITION OF NOMINATION FOR FEDERAL, STATE, STATE LEGISLATURE OR LOCAL OFFICE IN 2016 State Form 36186 (R18 / 6-15) Indiana Election Division (IC 3-8-6-5; IC 3-8-6-6(b); IC 3-6-12-7) COUNTY:

(CAN-19)

1/4	Indiana Liection Division	(10 3-0-0-3, 10	3-0-0-0(b), 10 3-0-12	/)		000N11				
prov petit 20). <i>Can</i>	NSTRUCTIONS: This petition is used to nominate independent candidates or candidates of a minor political party not already entitled to have its candidates placed on the ballot. Petitioners are not required to provide precinct and ward information. The county voter registration office will complete this information after the petition is filed. Except in cases of disability, the petitioner must complete this information in the petitioner's own handwriting. If assistance is provided due to disability, the assister must complete the affidavit on the reverse of this form. Each candidate must also complete a Candidate's Consent form (CAN-20). This petition must be filed with the appropriate county voter registration office for processing no earlier than January 6, 2016 and no later than NOON, June 30, 2016. School Board Candidates should use a CAN-34 form, not this form. Presidential Candidates must complete the certification of presidential elector candidates on the reverse of this form. Consult your attorney to be advised of your rights and responsibilities.									
то	TO THE SECRETARY OF STATE OF INDIANA OR THE INDIANA ELECTION DIVISION OR THE COUNTY CIRCUIT COURT CLERK:									
Eac	Each of the undersigned represents that: 1) the individual resides at the address after the individual signature; 2) the individual is a duly qualified registered voter in Indiana; 3) the individual desires to be able o vote for the candidates listed below, and each of the undersigned respectfully requests you to place the following names of legally qualified candidates on the November 8, 2016 General Election Ballot as									
	check only one box please) an independent candidate or independent ticket for Pres./Vice President or Governor/Lt. Governor as candidates on the									
	Candidate Name (as established on CA	N-20 form)	Complete Candid	ate Address (If di	fferent from residence, include mailing address)	Office Sought	Insert here any			
1							political party			
2							device to be printed on the			
3							ballot under			
4							10 3-8-7-11			
	SIGNATURE	PRI First	NTED NAME Last	DATE OF BIRTH MM/DD/YYYY	RESIDENCE ADDRESS (No P.O. Boxes) Number Street Apartment	CITY or TOWN & ZIP CODE	Office Use Only Precinct/Ward			
1										
2										
3										
4										
5										
6										
7										
8										
9										
10										
					er Certification					
ı affi	rm under the penalties for perjury that I have n	no reason to believ	re that any individual who	se signature appears	s on this page is ineligible to sign this petition or	and not properly complete and sign this page	ł. 			
CAR	RIER'S SIGNATURE	CARRIER'S PE	RINTED NAME	CARRIER'	S DATE OF BIRTH	DATE SIGNED BY CARRIER				

С	ounty Voter Registra	tion Office Certification		County Voter Registration Office Certification			ation		
County:		Number of Valid Signatures:		Coun	•			Number of Valid Signatures:	
this petition and certify	the above number to be registe	reviewed the registration records of the ered voters of this County.	e petitioners on	I certify that, in accordance with IC 3-8-6-10(c), I have reviewed the registration records of the petitioners on this petition and certify the above number to be registered voters of this County.					ecords of the petitioners on
Witness my/ou	r hand and seal this			Witness my/our hand and seal this					
day of COUNTY					day of			UNTY	
	, 2016, at	SEAL HERE		, 2016, at			SEAL HERE		
	, Indiana.					, Indiana.			
Signature 1		☐ Clerk of the Circuit Court or ☐ Member of the Board of Register	tration	Signature				☐ Clerk of the Circuit C☐ Member of the Boar	
Signature 2		☐ Member of the Board of Regist	tration	Signature	2			☐ Member of the Boar	d of Registration
PRESIDENTIAL CANDIDATE CERTIFICATION OF PRESIDENTIAL ELECTORS			As the presidential candidate nominated by the petitioners signing this petition, I certify that the following qualified and eligible individuals are the candidates for presidential elector in Indiana pledged to support			ana pledged to support my			
NAM	E	ADDRESS				NAME		ADDR	ESS
1				6					
2				7					
3				8					
4				9					
5				10					
		e, but no more than eleven presidential of to sign one copy of this certification.	elector	11					
•	IDIDATE PRINTED NAME			PRESIDENTIAL CANDIDATE SIGNATURE					
		Affidavit a	f Assistance	Dravida	d +a F	Potitionov/o			
I affirm under the penal	ties for perjury that I assisted t	ne following petitioners, due to disabilit				. , ,	address	s on this petition:	
·				•	,	,		·	. 20
Hamoo of Folitoriols A	55.5.50 by 1110.						DA	ATE ASSISTANCE PROV	
									
ASSISTER'S SIGNATU	JRE A	ASSISTER'S PRINTED NAME	ASSISTI	ER'S ADDR	ESS				



CONSENT OF INDEPENDENT OR MINOR POLITICAL PARTY CANDIDATE NOMINATED BY PETITION FOR ELECTION IN 2016

(CAN-20)

State Form 46419 (R15 / 11-15)

Indiana Election Division (IC 3-8-5-17; IC 3-8-6-3; IC 3-8-6-12; IC 3-10-2-15; IC 3-10-6-12)

INSTRUCTIONS: This consent must be filed with the certified CAN-19 petition of nomination form by an independent candidate or a candidate of a political party nominated by petition. This form is not used by Democratic, Libertarian, or Republican Party candidates. SEE IMPORTANT INFORMATION ON BACK OF FORM.

STATE OF INDIANA

COUNTY OF				
	GEN	ERAL INFORMATION		
l,		the unders	signed, certify the following:	
	Name of Candidate			
	Precinct			
(or of Ward	of the City or Town of), County	y of	, State of Indiana.
(2) I am a candidate for the c	office of	,[District	(if any).
the general election to be he	under IC 3-8-6-12 to the circularld on November 8, 2016, design 19 form) attached to this conse	nated as an independent ca		
•	h a political party, the name of the pess under Indiana law or which has	•		to its similarity with that
political party as any other ca	not apply to an independent ca andidate or group of candidates attach additional information co	s that has filed or will be filing	g a petition of nomination wi	ith the county voter
Indiana to be a candidate for	ot apply to a candidate for fed this office (including any applic d prohibit me from serving in thi	cable residency requirement	·	
	RESI	DENCY INFORMATION		
(6) My residence address is:	_)		
Complete Residence A	Address Must Be Inserted	City	, Indiana	ZIP Code
(7) My mailing address is (if	different from residence addres	ss):		
Mailing Address (Write "SAME" i.	f both addresses are identical or leave b	olank) City	, Indiana	ZIP Code
	Doth addresses are rashingar critical c			
	CANDID#	ATE NAME INFORMATION		
I request that my name appe	ear on the general election ballo	ot in the following manner:		
	(*Include any Nickname	and/or Suffix, Jr. Sr. II III IV)		
I also request that my name	on my voter registration record	d be the same as the name	e on this consent, and that a	a copy of this form be

The candidate's name must comply with the requirements in Indiana Code 3-5-7. If a candidate's name does not comply with this state law, the consent may be challenged under Indiana Code 3-8-1-2.

*A candidate may use a nickname on the ballot only if the nickname is a name by which the candidate is commonly known and does not exceed 20 characters.

EXAMPLE: John R. (Jack) Doe A candidate may not use a title or degree as a designation or a designation that implies a title or degree.

forwarded to the county voter registration office for any necessary change.

	CANDID	ATE CERTIFICAT	TON		
(8) (This paragraph <u>does not</u> apply to federal office economic interest statement, file stamped by the this statement of economic interest has been filed	office required t				
(9) (This paragraph <u>does not</u> apply to a candidate for surety bond before serving in office. (initial here)	federal office or s	state legislative o	ffice) By initialing, I ack	nowledge th	nat I might be required to file a
(10) (This paragraph <u>does not</u> apply for candidates for required to complete training or have attained certifications.				initialing, I	acknowledge that I might be
(11) (This paragraph does not apply to a candidate for	,	O rogordina com	saign finance and the re	norting of o	ampaign finance contributions
By initialing, I acknowledge that I: am aware of the p and expenditures, and agree to comply with the provi			oaign finance and the re	porting of c	ampaign infance contributions
(12) I have been a candidate for state, state legislativ ☐ Yes ☐ No (Check one) (If the answer to this question is no, skip paragraphy)				or general	election:
(13) I have filed all reports required by IC 3-9-5-10 for	all previous cand	didacies:	s □ No (Check one)	1	
(14) (This paragraph applies to a candidate for a local local office receives compensation of less than \$5,00 organization for my principal candidate's committee with finance statement of organization not later than noon	0 but the candida vith the appropria	nte raises or spen te county election	ds more than \$500.) I hen board OR I am aware	ave filed a that I may b	campaign finance statement of be required to file the campaign
I certify that the information in this Declaration this office.	on of Candida	cy is true and	complete, and that	I meet the	e specific requirements of
		/ ()	()
Signature	Date Signed (MM/DD/YY)	Telephone (Day)		Telephone (Evening)
STATE OF)				
COUNTY OF)				
Subscribed and sworn to before me this	day of		, 201	6.	SEAL
Notary Public or Other Official Administering Oat	h according to	IC 33-42-4-1		_	
My Commission expires (applies only to Notary Pub	lic):				
County of Residence:					
		GN FINANCE NO	_		
- A candidate's committee of a netition candidate must file a n	omination campaid	n finance report no	later than NOON August 5	. 2016 with t	the Indiana Flection Division (if a

- candidate for a state legislative office) or with the appropriate county election board (if a candidate for a local office nominated in the primary).
- A candidate's committee must file a pre-election campaign finance report no later than NOON, October 21, 2016, with the Indiana Election Division (if a candidate for a state legislative office) or with the appropriate county election board (if a candidate for a local office nominated in the primary).
- -The candidate's committee must also file a pre-election supplemental report no later than forty-eight (48) hours after the committee receives any contribution of \$1,000 or more during the period beginning October 15, 2016 and ending at 6:00 a.m. on November 6, 2016, with the Indiana Election Division or appropriate county election board. If no such contribution is received, the candidate's committee is not required to file a supplemental report.
- -A person who fails to file a report with the Indiana Election Division or a county election board is subject to a civil penalty of \$50 for each day the report is late, with the afternoon of the final date for filing the report being calculated as the first day, for a maximum penalty of not more than \$1,000, plus any investigative costs incurred and documented by the Election Division or county election board.

NOTE TO CANDIDATES FOR STATEWIDE OFFICE:

A candidate's committee must file "quarterly" campaign finance reports with the Indiana Election Division, according to the following schedule. These filings must be made electronically, and are subject to the same civil penalties set forth in the Campaign Finance Notice above. Contact the Campaign Finance Division of the Election Division for

The committee must file quarterly reports no later than noon, Indianapolis time:

- April 15, 2016, covering the period from January 1, 2016 through March 31, 2016.
- July 15, 2016, covering the period from April 1, 2016 through June 30, 2016.
- (3) October 17, 2016, covering the period from July 1, 2016 through September 30, 2016.
- November 1, 2016, covering the period from October 1, 2016 through October 24, 2016.

 January 18, 2017, covering the period from October 25, 2016 through December 31, 2016.

The candidate's committee must also file supplemental reports with the Indiana Election Division no later than forty-eight (48) hours after the committee receives contributions from a person that total \$1,000 or more during the reporting periods listed below. If no such contribution is received, the candidate's committee is not required to file a supplemental report.

- Supplemental Reporting Period: April 1, 2016, through, NOON, April 15, 2016.
- Supplemental Reporting Period: July 1, 2016, through, NOON, July 15, 2016. (2)
- Supplemental Reporting Period: October 1, 2016, through, NOON, October 17, 2016.
- Supplemental Reporting Period: October 25, 2016, through NOON, November 1, 2016.



TATE OF THE STATE OF THE STATE

2016 GENERAL ELECTION CANDIDATE WITHDRAWAL

State Form 46416 (R13 / 9-15) Indiana Election Division

(IC 3-8-2-2.7, 3-8-2-2.5-4; 3-8-5-10.5, 3-8-5-14.5, 3-8-6-13.5, 3-8-7-17, 3-8-7-20, 3-8-7-21, 3-8-7-28)

INSTRUCTIONS: This form is used by a nominee chosen in a primary, nominated by petition, or chosen by a convention who wishes to remove the nominee's name from the general election ballot. This form is also used by a write-in candidate who wishes to withdraw.

DEADLINE: Except as otherwise provided by law, this withdrawal must be received by the official with whom the Declaration of Candidacy or Petition of Nomination was filed *(circuit court clerk or the Indiana Election Division)* by NOON, July 15, 2016, **if nominated at the primary election, party convention, or by petition of nomination**. A write-in candidate (for an office other than school board) must file this form by NOON, July 15, 2016.

For School Board offices: A school board candidate (including a write-in candidate for that office) must file this form by NOON, August 29, 2016.

For Small Town offices: A candidate who files a declaration of candidacy for a town office in a town with a population of less than 3,500 may withdraw by filing this statement by NOON, August 1, 2016. A candidate nominated by a town convention must file this withdrawal with the circuit court clerk or town election board no later than NOON, 3 days after the adjournment of the town convention. A candidate for city or town office in a municipal election year uses CAN-46 form to withdraw.

CAND	IDATE WITHDRAWAL	
(1) I, Insert name on previous		the undersigned,
Insert name on previo	ously filed candidacy	
withdraw as a candidate of the		Party for nomination to the office of
, [District	(if any) to be voted on at the
general election to be held on November 8, 2016.		
(2) My residence address is:		
		, Indiana ZIP Code
		,
Complete Residence Address Must Be Inserted (3) I request that you act under IC 3-8-7-17 or IC 3-8-7 name from the ballot as the nominee of the above me	7-28 to notify each appropriate cou	
(3) I request that you act under IC 3-8-7-17 or IC 3-8-name from the ballot as the nominee of the above me	7-28 to notify each appropriate cou	unty election board to remove my
(3) I request that you act under IC 3-8-7-17 or IC 3-8-7 name from the ballot as the nominee of the above me	7-28 to notify each appropriate countioned party for this office. //	unty election board to remove my
(3) I request that you act under IC 3-8-7-17 or IC 3-8-7 name from the ballot as the nominee of the above me	7-28 to notify each appropriate countioned party for this office.	unty election board to remove my
(3) I request that you act under IC 3-8-7-17 or IC	7-28 to notify each appropriate countioned party for this office. //	unty election board to remove my
(3) I request that you act under IC 3-8-7-17 or IC 3-8-name from the ballot as the nominee of the above me Signature CERTIFICATE STATE OF INDIANA	7-28 to notify each appropriate countioned party for this office. /	Telephone Number
(3) I request that you act under IC 3-8-7-17 or IC	7-28 to notify each appropriate countioned party for this office.	Telephone Number
(3) I request that you act under IC 3-8-7-17 or IC	7-28 to notify each appropriate countioned party for this office.	Telephone Number SEAL onally appeared
(3) I request that you act under IC 3-8-7-17 or IC	7-28 to notify each appropriate countioned party for this office.	Telephone Number SEAL onally appeared knowledged the execution

My Commission expires (applies only to Notary Public): ______ County of Residence:



PETITION FOR PRIMARY BALLOT PLACEMENT AS A CANDIDATE FOR GOVERNOR IN 2016

(CAN-25)

State Form 54518 (R2 / 6-15) Indiana Election Division (IC 3-8-2-8)

COUNTY:		

malan	LICCION DIVISION (10 C	7 0 2 0)				0001					
provide precinct and or Primary Nomination	congressional district inform (CAN-2). This pe	ninate candidates for placem rmation. The county voter re- stition must be filed with the filed with Secretary of Sta	gistration off e appropri a	fice will complete ate county voter	this information registration of	n after the peti	tion is filed. E essing beginn	ach candidate ning January	e must also compl	ete a Declaration of	f Candidacy
Each of the undersignable to vote for the c	ned represents that: 1) the andidates listed below; a	A OR THE INDIANA ELECTI e individual resides at the ad nd each of the undersigned Democratic Party	dress after respectfully	the individual's si requests you to	place the follo						
Candida	nte Name (as established	d on CAN-2 form)		Co	mplete Can	didate Addre	ess		(Office Sought	
SI	GNATURE	PRINTED NAME First	Last	DATE OF BIRTH MM/DD/YYYY	RESIDENC Number	E ADDRESS (No Street	P.O. Boxes) Apartment	CITY or TO	WN & ZIP CODE	Office Use Only Precinct/Ward	Office Use Only Congress District
1											
2											
3											
1											
5											
6											
7											
3											
9											
0											
				Petition Carrie							
affirm under the penal	ties for perjury that I have no	o reason to believe that any ind	ividual whose	e signature appears	s on this page i	s ineligible to sig	n this petition or	did not proper	rly complete and sig	gn this page.	
CARRIER'S SIGNATU	RE	CARRIER'S PRINTED NAME		CARRIER'	S DATE OF BI	RTH (month, day, y	ear) –	DATE SIGNED	BY CARRIER (mor	20 nth, day, year)	
CARRIER'S FULL ADD	DRESS, INCLUDING ZIP CO	DDE (number and street, city, state, and	d ZIP code)								

County Voter Registration Office Certification					
County:		Number of Valid Signatures:			
I certify that, in	n accordance with IC 3-8-2-9, I have reviewed the registration records of the petitioners on t				
	the following Congressional District breakdown of petitioners on this petition stered voters:	Number of Voters	Congressional District		
	Witness my/our hand and seal this				
	day of	COU SEAL			
	, 2016, at	OLAL			
	, Indiana.				
Signature 1		☐ Clerk of the Circuit Court or			
		☐ Member of the Board of Registration			
Signature 2		☐ Member of the Board of Registration			
	County Voter Registrat	tion Office Certification			
County:		Number of Valid Signatures:			
I certify that, in	n accordance with IC 3-8-2-9, I have reviewed the registration records of the petitioners on t				
	the following Congressional District breakdown of petitioners on this petition stered voters:	Number of Voters	Congressional District		
	Witness my/our hand and seal this				
	day of, 2016, at	COU SEAL			
	, Indiana.				
Signature 1		☐ Clerk of the Circuit Court or ☐ Member of the Board of Registration			
Signature 2		☐ Member of the Board of Registration			
	Affidavit of Assistance	Provided to Petitioner(s)			
I affirm under the penalties for perjury that I assisted the following petitioners, due to disability, in writing the petitioner's signature, printed name, and residence address on this petition: Names of Petitioners Assisted by me:					
ASSISTER'S SIG	ASSISTER'S SIGNATURE ASSISTER'S PRINTED NAME ASSISTER'S ADDRESS (number and street, city, state, and ZIP code)				



DECLARATION OF INTENT TO BE A SCHOOL BOARD WRITE-IN CANDIDATE IN 2016 (CAN-26)

State Form 46415 (R4 / 9-15) Indiana Election Division (IC 3-8-2.5-4)

INSTRUCTIONS:

A declaration of intent to be a school board write-in candidate must be filed not earlier than **August 10**, **2016**; and not later than **NOON**, **August 26**, **2016**.

Please print or type all information on this form except all signatures.

All declared write-in candidates for election to a school board office must file the CAN-12 form WITH this form.

SEE IMPORTANT INFORMATION ON BACK OF FORM.

STATE OF INDIANA)	
COUNTY OF	_)	
G	SENERAL INFORMATION	
I,Name of Candidate	the undersigned, certify the	following:
(1) I am a registered voter of Precinct	of the Township of	
(or of Ward of the City or Town of), County of	, State of Indiana.
(2) I declare my intention to be a write-in candidate for the	e office of School Board Member,	
	School Corporation,	District (if any)
to be voted on at the general election to be held on November	8, 2016.	
(3) I comply with all requirements under the laws of the State of requirements. I am not ineligible to be a candidate due to a crin	·	5 , 11
RE	ESIDENCY INFORMATION	
(4) My complete residence address is:	SIDENCT IN CHMATION	
		, Indiana ZIP Code
Complete residence address must be inserted	City	ZIP Code
(5) My mailing address is (Write address if mailing address is d	lifferent from residence address; write "SAI	ME" if both addresses are identical):
		, Indiana
Mailing address	City	ZIP Code

CANDIDATE NAME INFORMATION

I request that my name as set forth above appear on the certified list of write-in candidates. I also request that the name on my voter registration record be the same as the name on this declaration of candidacy and that a copy of this form be forwarded to the county voter registration office for any necessary change.

The candidate's name must comply with the requirements in Indiana Code 3-5-7. If a candidate's name does not comply with this state law, the declaration may be challenged under Indiana Code 3-8-1-2.

Please complete reverse of form.

	CANDIDATE CERTIFICA	ATION	
(8) (This paragraph <u>does not</u> apply to federal office economic interest statement, file stamped by the this statement of economic interest has been filed	office required to receive the s		
(9) (This paragraph <u>does not</u> apply to a candidate for surety bond before serving in office. (initial here)	federal office or state legislative	office) By initialing, I acknow	rledge that I might be required to file a
(10) (<i>This paragraph <u>does not</u> apply for candidates for</i> required to complete training or have attained certifications.			tialing, I acknowledge that I might be
(11) (This paragraph does not apply to a candidate fo	,		
By initialing, I acknowledge that I: am aware of the prand expenditures, and agree to comply with the provi-		paign finance and the repor	ting of campaign finance contributions
(12) I have been a candidate for state, state legislativ ☐ Yes ☐ No (Check one) (If the answer to this question is no, skip paragraphy)	• •		general election:
(13) I have filed all reports required by IC 3-9-5-10 for	r all previous candidacies: \(\subseteq \text{Y}	es 🗌 No (Check one)	
(14) (This paragraph applies to a candidate for a local local office receives compensation of less than \$5,00 organization for my principal candidate's committee we finance statement of organization not later than noon,	O but the candidate raises or spe with the appropriate county election	nds more than \$500.) I have on board OR I am aware tha	e filed a campaign finance statement of t I may be required to file the campaign
I certify that the information in this Declaration this office.	ion of Candidacy is true and	d complete, and that I m	neet the specific requirements of
)	()
Signature	Date Signed (MM/DD/YY)	Telephone (Day)	Telephone (Evening)
STATE OF)		
COUNTY OF) SS:)		
Subscribed and sworn to before me this day	of	, 2016.	SEAL
Notary Public or Other Official Administering Oath acco	ording to IC 33-42-4-1		
My Commission expires (applies only to Notary Public)	:		
County of Residence:			

CAMPAIGN FINANCE NOTICE

A candidate's committee must file its first campaign finance report no later than NOON, September 16, 2016 with the appropriate county election board.

A candidate's committee must file a pre-election campaign finance report no later than **NOON**, **October 21**, **2016** with the appropriate county election board.

The candidate's committee must also file a pre-election supplemental report no later than forty-eight (48) hours after the committee receives any contribution of \$1,000 or more during the period beginning **October 15, 2016 and ending at 6 a.m. on November 6, 2016**, with the appropriate county election board. If no such contribution is received, the candidate's committee is not required to file a supplemental report.

A person who fails to file a report with a county election board is subject to a civil penalty of \$50 for each day the report is late, with the afternoon of the final date for filing the report being calculated as the first day, for a maximum penalty of not more than \$1,000, plus any investigative costs incurred and documented by the county election board.





DECLARATION OF CANDIDACY AND WRITTEN CONSENT TO FILL A BALLOT VACANCY IN 2016

State Form 47005 (R12/9-15) Indiana Election Division (IC 3-13-1-10.5, IC 3-13-1-14)

INSTRUCTIONS: A declaration of candidacy to fill a **ballot vacancy** must be filed no later than 72 hours before the caucus to fill the vacancy with the chair of the caucus <u>and</u> the official who receives the certificate of candidate selection under IC 3-13-1-15. For questions on where to file this form, contact the Indiana Election Division at 800-622-4941. A statement of economic interests may also be required to be filed by a candidate for certain offices.

TO THE Democratic Party or the Republican Party CHAIR,	COUNT	Y, STATE OF INDIANA:
GENERAL INFOR	RMATION	
I,Name of Candidate	the undersigned,	certify the following:
	,	
(1) I am a registered voter of Precinct of the Townshi		
(or of Ward of the City or Town of),		
(2) I give my written consent for you to certify my name to the appropriate election	·	·
ballot of the <i>(check one box)</i> Democratic Party OR the Republican Party District (if any) to be voted on at the general election to be held		
candidate by its caucus or authorized committee under IC 3-13-1 (or if I am appoint		
(3) If I am a candidate for selection by a caucus or committee, I am also filing a cop		
☐ Indiana Election Division or the ☐ Circuit Court Clerk of the above county at le		
(4) This paragraph does not apply to a candidate for federal office. I comply v	vith all requirements under the lav	ws of the State of Indiana to be a
candidate for this office (including any applicable residency requirement), and I am	not ineligible to be a candidate of	due to a criminal conviction that would
prohibit me from serving in this office.		
DECIDENCY INFO	DMATION	
RESIDENCY INFO (5) My complete residence address is:	RIVIATION	
		Indiana
Complete Residence Address Must Be Inserted	City	, Indiana ZIP Code
(6) My mailing address is (if different from residence address):		
(a) My maining address to (in amorem nem residence address).		
Mailing Address (Write "SAME" if both addresses are identical or leave blank)	City	, Indiana ZIP Code
,	•	
CANDIDATE NAME IN	IFORMATION	
I request that my name appear on the general election ballot in the follow		
(*Include any Nickname and/or S	Suffix, Jr. Sr. II III IV)	
I also request that the name on my voter registration record be the same this form be forwarded to the county voter registration office for any neces		on of candidacy, and that a copy of
The candidate's name must comply with the requirements in Indiana Code 3-5-7. I	f a candidate's name does not co	mply with this state law, the declaration
may be challenged under Indiana Code 3-8-1-2. *A candidate may use a nickname on the ballot only if the nickname is a name by wh	ich the candidate is commonly kno	own and does not exceed 20 characters
EXAMPLE: John R. (Jack) Doe A candidate may not use a title or degree as a de	signation or a designation that im	
CANDIDATE CERTI		
(7) (This paragraph does not apply to federal offices.) By initialing, I acknow economic interest statement, file stamped by the office required to receive the this statement of economic interest has been filed. (initial here)		
(8) (This paragraph <u>does not</u> apply to a candidate for federal office or state legislate surety bond before serving in office. (initial here)	rive office) By initialing, I acknowle	edge that I might be required to file a
(9) (This paragraph <u>does not</u> apply for candidates for federal office, state office, or required to complete training or have attained certification related to service in office		ing, I acknowledge that I might be

	CANDIDATE CER	TIFICATION (continued)	
(10) (This paragraph <u>does not</u> apply to a candidate for By initialing, I acknowledge that I am aware of the prand expenditures, and agree to comply with the provi	rovisions of IC 3-9 reg		aign finance and the repo	orting of campaign finance contributions
(11) I have been a candidate for state, state legislative ☐ Yes ☐ No (Check one) (If the answer to this question is no, skip paragra		•		or general election:
(12) I have filed all reports required by IC 3-9-5-10 fo	or all previous candida	cies: 🗌 Yes	s □ No (Check one)	
(13) (This paragraph only applies to a candidate for a the local office receives compensation of less than \$5 of organization for my principal candidate's committe campaign finance statement of organization not later	5,000 but the candidate with the appropriate	te raises or s county elect	pends more than \$500.) ion board OR I am awar	I have filed a campaign finance statement that I may be required to file the
1 0		dayo anon in	e iniai date to ine trib de	ciaration of candidacy. (Initial ficic)
I certify that the information in this Declarat this office.		-		
I certify that the information in this Declarat	tion of Candidacy	is true and	complete, and that I	
I certify that the information in this Declarat this office.	tion of Candidacy	is true and		meet the specific requirements of
I certify that the information in this Declarat this office. Signature	Date Signed (MM/L	is true and) Telephone (Day)	meet the specific requirements of
I certify that the information in this Declarate this office. Signature STATE OF COUNTY OF	Date Signed (MM/L	is true and) Telephone (Day)	meet the specific requirements of ()
I certify that the information in this Declarate this office. Signature STATE OF COUNTY OF Subscribed and sworn to before me this day	Date Signed (MM/L	is true and	complete, and that I	meet the specific requirements of

CAMPAIGN FINANCE NOTICE

A candidate who fills a ballot vacancy 30 days or more before the general election must file campaign finance reports in accordance with IC 3-9-5-8.5. A candidate who fills a ballot vacancy less than 30 days before the general election must file campaign finance reports in accordance with IC 3-9-5-8.5 in addition to all other reports required by IC 3-9-5.

The candidate's committee must also file a pre-election supplemental report no later than forty-eight (48) hours after the committee receives contributions from a person that total \$1,000 or more during the period beginning **October 15, 2016, and ending November 6, 2016,** with the Indiana Election Division, appropriate county election board, or both. If no such contribution is received, the candidate's committee is not required to file a supplemental report.

A person who fails to file a report with the Indiana Election Division or a county election board is subject to a civil penalty of \$50 for each day the report is late, with the afternoon of the final date for filing the report being calculated as the first day, for a maximum penalty of not more than \$1,000, plus any investigative costs incurred and documented by the Election Division or county election board.

Special Campaign Finance Instructions for Candidates For Statewide Office Filling a Ballot Vacancy

A candidate's committee must file "quarterly" campaign finance reports with the Indiana Election Division, according to the following schedule. These filings must be made electronically, and are subject to the same civil penalties set forth in the Campaign Finance Notice above. Contact the Campaign Finance Division of the Election Division for further information.

The committee must file quarterly reports no later than noon, Indianapolis time:

- (1) April 15, 2016, covering the period from January 1, 2016, through March 31, 2016.
- (2) July 15, 2016, covering the period from April 1, 2016, through June 30, 2016.
- (3) October 17, 2016, covering the period from July 1, 2016, through September 30, 2016.
- (4) November 1, 2016, covering the period from October 1, 2016, through October 24, 2016.
- (5) January 18, 2017, covering the period from October 25, 2016, through December 31, 2016.

The candidate's committee must also file supplemental reports with the Indiana Election Division no later than forty-eight (48) hours after the committee receives contributions from a person that total \$1,000 or more during the reporting periods listed below. If no such contribution is received, the candidate's committee is not required to file a supplemental report.

- (1) Supplemental Reporting Period: April 1, 2016, through NOON April 15, 2016.
- (2) Supplemental Reporting Period: July 1, 2016, through NOON July 15, 2016.
- (3) Supplemental Reporting Period: October 1, 2016, through NOON October 15, 2016.
- (4) Supplemental Reporting Period: October 25, 2016, through NOON November 1, 2016.



(CAN-34)

PETITION OF NOMINATION AND CONSENT FOR SCHOOL BOARD OFFICE ELECTED IN	2016	(C
State Form 47008 (R16 / 9-15)		•
Indiana Election Division (IC 3-8-2.5; 3-6-12)	COUNTY:	

	7816	,								
not nan vote sch sigr adv	TRUCTIONS: This petition is used to nom later than noon, August 26, 2016. Petitio dwriting. If assistance is provided due to diser is registered after the petition is filed. Ea ool corporation, this petition must be signed by ten (10) registered voters residing wiresed of your rights and responsibilities.	ners are not required sability, the assister r ch candidate must co d by ten (10) registere thin the boundaries of	I to provide precing the complete the complete the Cand ed voters residing of the school corp	nct and ward information affidavit on the revers lidate's Consent on the principle in the same board mooration. (IC 20-23-4-29)	n. Except in one of this form reverse of the ember distription (1.1) Additional	cases of disabilit The county vo is form and file a ct as the nomin al petition require	ty, the petitioner ter registration of a Statement of E ee. (IC 20-23-7- ements apply in	must complete the information ffice will complete this information conomic Interests (CAN-12 for 8) In a community school corposome school corporations. Co	in the petitione tion and determ m). In a metro pration, this pet nsult your atto	er's own nine if the politan ition must be
IO Eac	THE	COUNTY CIRC	CUIT COURT CLI	ERK (<i>OR THE LAKE O</i> or the individual's signat	H TIPPECAL ture: 2) the in	NOE COUNTY E	BOARDS OF ELI	ECTION AND REGISTRATION	V): a individual das	rires to be
_able	e to vote for the candidates listed below; and	d (4) each of the und	lersianed respect	fully requests you to pla	ace the follow	ing names of le	gally qualified ca	andidates on the General Elect	ion Ballot for a	school board
	be to be held on November 8, 2016.	a ()	.o.o.gou .oopoot	iany requests you to pit		9	gan, quamou oc	manada on the demonal Elect	.o., 24o., .o. 4	50.1001 50a.u
	Candidate Name			Complete Co.	ndidata Ad	droop		Office S	'auaht	
(Se	ee Consent on reverse of form for candidate n	ame requirements)		Complete Ca (If different from residen				(Include election distri		her)
1		amo roganomento.		(in dimension mentional	00, 11101000 1110	umig uuuroooi,		(morado erection distin	or manne or mann	
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4										
									Office l	Jse Only
	SIGNATURE	PRINTE: First	D NAME Last	DATE OF BIRTH MM/DD/YYYY	RESIDENO Number	CE ADDRESS (No Street	P.O. Boxes) Apartment	CITY or TOWN & ZIP CODE	Precinct / Ward	Voter Registered
		FIISL	LdSI	IVIIVI/DD/1111	Number	Sireei	Apartment		vvaiu	negistereu
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_										
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8										
9										
10										
				Petition Carrier	Certificat	ion				
aff	irm under the penalties for perjury that I have n	o reason to believe tha	at any individual wh				this petition or did	not properly complete and sign to	nis page.	
			,	and and and and and	p 3	3.2.2.12.3.9.1		and the strain and the strain and and the	- 14-9	
				<u> </u>		,		, 20 _		
CAF	RRIER'S SIGNATURE	CARRIER'S PRINT	ED NAME	CARRIER'S	DATE OF BIR	TH	DAT	E SIGNED BY CARRIER		
^ ^ F	DDIEDIO ELILI ADDDECC INCLLIDING ZID CO	3DE								
JAh	RRIER'S FULL ADDRESS, INCLUDING ZIP CO	JUĽ								

	CONSENT OF C	ANDIDATE NOMINAT	ED BY PETITION			
I, the undersigned, am a candidate for the office of so	shool hoard member of					
i, the undersigned, and a candidate for the office of sc	chool board member of	Insert name of schoo	corporation, including any election of	district designation.	·	
I give my written consent under IC 3-8-2.5-7 to the circulation and filing of a petition under IC 3-8-2.5 to place my name on the ballot at the general election to be held November 8, 2016 designated as a candidate for this office. I meet all qualifications for this office, including residency requirements and do not have a criminal conviction that would prevent me from serving.						
I request that the name on my voter registration reconnecessary change. (The candidate's name must comply with the ballot only if the nickname is a name by which the candidate is common linear have been a candidate for a state, legislative, local of the series of the	ne requirements in Indiana Code 3-5-7. If a ca nonly known and does not exceed 20 characte office, or school board office in a pr	andidate's name does not comply with this sers. EXAMPLE: John R. (Jack) Doe A cand revious primary or general election	tate law, the declaration may be challenged uidate may not use a title or degree as a designate	under Indiana Code 3-8-1-2. A car gnation or a designation that implie	ndidate may use a nickname on the	
I am aware of the provisions of IC 3-9 regarding cam appropriate county election board after the first of the		contributions and expenditures. I a	m aware of the requirement to file	a campaign finance staten	nent of organization with the	
(1) I receive more than \$500 in contributions as a sch	nool board candidate, or (2) I spend	d more than \$500 in expenditures	as a school board candidate.			
I agree to comply with the provisions of IC 3-9.						
I certify that the information in this Declarat	ion of Candidacy is true and	complete, and that I meet th	e specific requirements of th	nis office.		
Signature		Date signed (MM/DD/YY)	Teleph	none		
			()		
STATE OF			· ,	,		
STATE OFCOUNTY OF						
Subscribed and sworn to before me this day of _		, 2016. SEAL				
Notary Public or Other Official Administering Oath according to	IC 33-42-4-1					
My Commission expires (applies only to Notary Public):		County of Residence: _				
	Affidavit of	f Assistance Provided to	Petitioner(s)			
I affirm under the penalties for perjury that I assisted the f	ollowing petitioners, due to disability, i	in writing the petitioner's signature, p	rinted name, and residence address	on this petition:		
Names of Petitioners Assisted by me:					. 20	
Names of Feditories / Issisted by Inc.			DA ⁻	TE ASSISTANCE PROVIDED		
ASSISTER'S SIGNATURE ASS	ISTER'S PRINTED NAME	ASSISTER'S ADDRESS				
NOTE: If the name of more than <u>one</u> candida			of the executed consent form	shove when the netition of	of nomination is filed	
NOTE. If the name of more than <u>one</u> candida		oter Registration Office C		above when the petition (or nomination is filed.	
County	Number of Valid	County		Number of Valid		
Name:	Signatures:	Name:		Signatures:		
I certify that, in accordance with IC 3-8-2.5-5, I have revie petition and certify the above number to be registered vot		titioners on this				
Witness my/our hand and seal this	-	2016,	COUN	TY SEAL HERE		
at	, Indiana.					
Signature 1	☐ Clerk of the Circuit Court or ☐ Member of the Board of Regis		2 (if a Member of Board of Registr	ation)		

(CAN-37)



DECLARATION OF CANDIDACY FOR PRECINCT COMMITTEEMAN OR STATE CONVENTION DELEGATE IN 2016

State Form 47417 (R11 / 9-15) Indiana Election Division (IC 3-8-1-32; IC 3-8-2-7)

INSTRUCTIONS: This form is used by Democratic and Republican Party candidates for Precinct Committeeman and State Convention Delegate. A declaration of candidacy for election as a precinct committeeman or state convention delegate must be filed with the county election board or Lake or Tippecanoe County boards of elections and registration no earlier than January 6, 2016 and no later than noon, February 5, 2016. If running for BOTH precinct committeeman and state convention delegate, complete a separate copy of the CAN-37 for each office.

STATE OF INDIANA)		
COUNTY OF)		
	GENERAL INFORM	IATION	
I,Na	me of Candidate	the under	signed, certify the following:
(1) I am a registered voter of Precinct			
(or of Ward of the City or Town of			
(2) I reside in the		unity of	, State of indiana.
	_	with which I am offiliated	i.
(3) I request that my name be placed on the May		with which I am aimated	
(check one) Democratic Party or Republic	•	de amberana affica an thio	and a
for the office of Precinct Committeeman OR		-	
Precinct Name			
(4) I comply with all requirements under the laws office.	of the State of Indiana and any car	ididate requirements set	by my party's rules to be a candidate for this
	RESIDENCY INFOR	MATION	
(5) My complete residence address is:			
Complete Residence Address Must Be Inserted		City	, Indiana ZIP Code
(6) My mailing address is (if different from resider	nce address):	·	
	,		, Indiana
Mailing Address (Write "SAME" if both addresses	s are identical or leave blank)	City	ZIP Code
	CANDIDATE NAME INF	ORMATION	
I request that my name appear on the primary ele	ection ballot in the following manne	r:	
I also request that my name on my voter registrat	(Include any Nickname and/or Sut ion record be the same as the nam	e on this declaration of	candidacy.
The candidate's name must comply with the requirer challenged under Indiana Code 3-8-1-2.			
*A candidate may use a nickname on the ballot only EXAMPLE: John R. (Jack) Doe A candidate may no			
	CERTIFICATION	DN	
I, the undersigned, certify that the information in thi	s Declaration of Candidacy is true a	nd complete, and that I n	neet the specific requirements of this office.
Signature		() Telephone <i>(Day)</i>	() Telephone <i>(Evening)</i>
STATE OF			: 0.0p.1.01.0 (2.101.11/g)
COUNTY OF)		
Subscribed and sworn to before me this		2016	
Subscribed and sworn to before me this	day of	, 2016.	OFAL
Notary Public or Other Official Administering Oath	according to IC 33-42-4-1		SEAL
My Commission expires (applies only to Notary Pu	blic):		
County of Residence:			



ALLEN COUNTY / VANDERBURGH COUNTY SUPERIOR COURT JUDGE DECLARATION OF CANDIDACY IN 2016

State Form 48517 (R9 / 9-15)

Indiana Election Division (IC 33-33-2-8; IC 33-33-82-31)

INSTRUCTIONS: This form is used by an individual who is seeking election to the superior court in Allen or Vanderburgh County. A declaration of candidacy must be filed with the Indiana Election Division no earlier than January 6, 2016 and no later than NOON, February 5, 2016. Please print or type all information on this form except all signatures. SEE IMPORTANT INFORMATION ON BACK OF FORM.

STATE OF INDIANA COUNTY OF □ ALLEN				
☐ VANDERBURGH				
(check one)				
·	GENERAL INFORMATION	l		
I,Name of	f Candidate	the undersigned, c	certify the following	ng:
(1) I am a registered voter of Precinct	of the Township of			, (or of Ward
of the City or Town of), County of	, State o	f Indiana.	
(2) I request that you place my name be placed on th ☐ Allen County Superior Court or the ☐ Vanderbu Division and Court Number	urgh County Superior Court	office of <i>(check one bi</i>	ox)	
to be voted on at the general election to be held on N	November 8, 2016.			
(3) I comply with all requirements under the laws of tineligible to be a candidate due to a criminal conviction that wou		r this office (including an	y applicable residen	cy requirement). I am not
	RESIDENCY INFORMATIO	N		
(4) My complete residence address is:				
Complete Residence Address Must Be In	nserted	City	, Indiana	ZIP Code
(5) My mailing address is (if different from residence	address):			
(-),			, Indiana	
Mailing Address (Write "SAME" if both addresses	are identical or leave blank)	City	, IIIGiaria	ZIP Code
_	CANDIDATE NAME INFORMA	TION		
I request that my name appear on the general	election ballot in the following mann	ner:		
(*Include	e any Nickname and/or Suffix, Jr. Sr. II III IV	V)		
I also request that the name on my voter regis of this form be forwarded to the county voter re			ation of candid	acy, and that a cop
The candidate's name must comply with the requirements in under Indiana Code 3-8-1-2. *A candidate may use a nickname on the ballot only if the nice EXAMPLE: John R. (Jack) Doe A candidate may not use a	ickname is a name by which the candidate is	commonly known and doe	es not exceed 20 c	

 \downarrow Please complete reverse of form \downarrow

	CANDIDATE CERTIFIC	ATION	
(7) By initialing, I acknowledge that I have attac office required to receive the statement, or a rec (initial here)			
(8) By initialing, I acknowledge that I might be requi	red to file a surety bond before ser	ving in office. (initial here)	-
(9) By initialing, I acknowledge that I might be requi	red to complete training or have at	ained certification related to ser	rvice in office. (initial here)
(10) By initialing, I acknowledge that I am aware of contributions and expenditures, and agree to complete			rting of campaign finance
(11) I have been a candidate for state, state legislat ☐ Yes ☐ No (Check one) (If the answer to this question is no, skip parage			eral election:
(12) I have filed all reports required by IC 3-9-5-10 f	for all previous candidacies: 🔲 Ye	es 🗌 No (Check one)	
(13) I have filed a campaign finance statement of or aware that I may be required to file the campaign file declaration of candidacy. (initial here)			
I certify that the information in this Declarathis office.	ation of Candidacy is true and	d complete, and that I mee	t the specific requirements of
Signature)((Telephone (Evening)
STATE OF	_)		
COUNTY OF	_)		
Subscribed and sworn to before me this	day of	, 2016.	SEAL
Notary Public or Other Official Administering O	ath according to IC 33-42-4-1		
My Commission expires (applies only to Notary Po	ublic):		
County of Residence:			

CAMPAIGN FINANCE NOTICE

A candidate's committee must file a pre-election campaign finance report no later than **NOON**, **Friday**, **October 21**, **2016**, with the appropriate county election board.

The candidate's committee must also file a pre-election supplemental report no later than forty-eight (48) hours after the committee receives contributions from a person that total \$1,000 or more during the period beginning **October 15, 2016** and ending **November 6, 2016**, with the appropriate county election board. If no such contribution is received, the candidate's committee is not required to file a supplemental report.

A person who fails to file a report with the county election board is subject to a civil penalty of \$50 for each day the report is late, with the afternoon of the final date for filing the report being calculated as the first day, for a maximum penalty of not more than \$1,000, plus any investigative costs incurred and documented by the county election board.

12/31/2016 Public Lookup



The information each voter will view is supplied and maintained at the county level. If

this information is incorrect, you will need to notify your County Clerk or Board of Voter

registration record, try putting a space to separate two distinct parts of your Last Name

(example: if your last name is "McDonald, try searching for "Mc Donald")

Favor de notar: La información que cada

inexacta usted necesitara notificar a su Empleado de Condado o Tabla de Matricula d Votante. County Election Office Contact Information

votante vera es suministrada y es mantenida en el nivel de condado. Si esta información es

NOTE: If you cannot find your voter

Register Online

■ Search by Voter Registration

■ Search Results

Voter Name: CHARLES L WILLIAMS County: MONROE

Status: Registered Township: PERRY TOWNSHIP

Date Of Status: 8/28/2003 Precinct: PERRY 12

Additional Documentation Required: No Residential Address: 3611 S ESSEX CT

BLOOMINGTON IN 47401-8747

√erified

■ Polling Place

■ Provisional Ballot

■ Who's on Your Ballot?

⊞ County Election Board Contact Information

☐ County Voter Registration Office Contact Information

County Voter Registration Office Contact Information

Facility: MONROE COUNTY VOTER REGISTRATION

Facility Address 401 W 7TH ST, SUITE 100

BLOOMINGTON IN 47404-3932

Phone: <u>812-349-2690</u>
Fax: <u>812-330-6460</u>

Fax: 812-330-6460 Email:

■ Districts

Current: Statewide

Indiana

Township: PERRY TOWNSHIP

Congressional: 9
State Senate: 40
State House: 62
County Commissioner: 03
County Council: 02

Municipality: BLOOMINGTON CITY

City Common Council: BLOOMINGTON CITY COUNCIL 5
School: Monroe County Comm School Corp

School Board : MCCSC Dist 4

■ Absentee

Who's On Your Ballot?

Print Voter Registration Form

County Contact

Indiana Election Division

powered by First Tuesday TM

BrowseAloud Text Reader

City Council

Laura Campbell



Northwest District

Laura Campbell

Phone: (317)432-9985

E-mail: lcampbell@carmel.in.gov

In January 2016, Laura Campbell begins her first term as a member of the Carmel City Council, representing the Northwest District. Laura strongly believes that a council member is a steward of the taxpayers' money, and as a pragmatic fiscal conservative, she promises that she will carefully consider each project and issue that comes before the council.

Laura is also a staunch advocate for public safety. She graduated from the Carmel Citizens Police Academy in 2010, and completed the Hamilton County Fire Ops program in October 2015.

Laura was born in Connecticut, and lived in New Jersey for a number of years before her family moved to Carmel in 1977. She is a graduate of Carmel High School, and graduated from Ball State Univer? sity with a Bachelor Degree in Journalism. During her high school and college years, Laura had planned on leaving Carmel and living back on the east coast, but after graduation, she took a job promoting the city of Indianapolis while living in Carmel.

Although Laura lived in Marion County for a few years, she came back to live in Carmel in 2001 when she married her husband Rick. Rick is Judge of Hamilton County Superior Court 4. Laura has a daughter and two sons, and her son Ben attends Carmel Middle School and is active in Dads Club sports. She is a member of Orchard Park Presbyterian Church.

Active in politics, Laura serves as Vice Chairman of the Hamilton County Republican Party and serves on the Fifth Congressional District Central Committee. Prior to becoming Vice Chairman, Laura served as the Executive Director of the Republican Party, and has been a precinct committeeman since 2002. Laura also has worked in commercial real estate marketing, and in public relations.

Having worked in marketing on city image campaigns, Laura understands that Carmel is competing with other cities on a national basis for corporate headquarters, businesses, and families who want a safe community to live in, with low taxes, great schools, and amenities.

Continuing to make our community attractive for businesses and families will be a top priority for Laura.

Website 🗗

Reservations 🗗

Dan Bortner, Director
402 W. Washington St., Room W298
Indianapolis, IN 46204
(317) 232-4124
Fax: (317) 232-4132
(800) 622-4931
Camping, Shelter, Family Cabin Reservations: (866) 622-6746

Dual Officeholding Guide



Indiana Attorney General Greg Zoeller

Table of Contents

Overview	3
Who should read this Guide?	3
Why is an understanding of dual office holding important?	
How should I use this Guide?	
How do I determine whether a second public service position violates law?	3
Analysis	4
I. Are both positions lucrative offices within the meaning of Indiana Constitution	
Article II, Section 9?	
• What should be considered when determining whether a position is a "lucrative	
office"?	
 What are examples of lucrative and non-lucrative offices? 	
• What is the correct procedure to determine the right to an office?	
• If a person holds two lucrative offices in violation of Article II, Section 9,	
what are the consequences?	
• <u>Under the four-part analysis, what if both public service positions are lucrative</u>	
offices?	
II. Would holding both positions violate the constitutional doctrine of "separation of	
powers" violation to occur?	<u>6-7</u>
• Must one be an officeholder in both departments for a separation of powers	
violation to occur?	
• Is Article III, Section 1 applicable to municipal positions?	
III Anothe moditions in competible and would helding both quests a conflict of interest	
III. Are the positions incompatible and would holding both create a conflict of interest or public policy concern?	7 0
When are two positions incompatible?	7-0
When is a conflict of interest a crime?	
When is a conflict of interest a crime? Who determines when holding both positions creates a conflict of interest or	
violates public policy?	
violates public policy:	
IV. Does a federal, state or local law or regulation prohibit the simultaneous holding	
of both offices?	8-9
What are the prohibitions under the federal Hatch Act?	
• Do other laws affect dual office holding?	
<u>=</u>	
Appendix A – Lucrative and Non-Lucrative Office Examples	9
Appendix B - Cases and Attorney General Opinions No Longer Reflecting Current Law	v18
Annandiy C Additional Pasources	10

Overview

Who should read this Guide?

Public officials who may be considering a second public service position should read this Guide with their attorneys. Under Indiana law, some government officials may not legally serve in more than one public service position at any given time. The holding of two lucrative offices may result in the constitutional violation commonly referred to as "dual office holding." Further, even if serving in two positions does not result in a constitutional dual office violation, it may violate the constitutional doctrine of separation of powers, create a conflict of interest or public policy concern, or be prohibited by another federal, state or local law.

All public officials should <u>seek legal advice from an attorney</u> before accepting a second public service position. State officials considering a second position should discuss the matter with their agency attorney before seeking an opinion from the Indiana Attorney General.

Why is an understanding and thorough analysis of dual office holding important?

A violation of the constitutional and statutory prohibitions against dual office holding may result in the loss of or removal from an official position, the commission of the Class D felony of conflict of interest, or loss of federal funding.

How should I use the Guide?

This Guide provides a four-part legal analysis that public officials may use in order to determine whether accepting a second public service position violates the law. The Guide also offers a list of citations to Indiana cases and Attorney General Opinions discussing specific public service positions and potential dual office conflicts.

How do I determine whether holding a second public service position violates law?

The following four-part analysis may be used to determine whether holding a second public service position violates the law:

- I. Are both positions lucrative offices within the meaning of Indiana Constitution Article II, Section 9?
- II. Would holding both positions violate the constitutional doctrine of "separation of powers" under Indiana Constitution Article III, Section 1?
- III. Are the positions incompatible and would holding both create a conflict of interest or a public policy concern?
- IV. Does a federal, state or local law or regulation prohibit the simultaneous holding of both offices?

Analysis

I. Are both positions lucrative offices within the meaning of Indiana Constitution Article II, Section 9?

Article II, Section 9 of the Indiana Constitution states:

No person holding a lucrative office or appointment under the United States or under this State is eligible to a seat in the General Assembly; and no person may hold more than one lucrative office at the same time, except as expressly permitted in this Constitution. Offices in the militia to which there is attached no annual salary shall not be deemed lucrative.

The dual office prohibition was adopted by the framers of the Indiana Constitution in order to prevent the consolidation of power in a small number of government officials. *See generally*, Gregory Zoeller, *Dual Office Analysis: Can the Legislature Carve Out Exceptions*, 37 Ind. L. Rev. 733, 736-37 (2004).

What should be considered when determining whether a position is a "lucrative office"?

Does the position constitute an office or employment? The dual office prohibition does not prohibit a person from maintaining an office while also serving as an employee of a governmental entity. An employee is one who is "in the service of another under any contract of hire, express or implied, oral or written, where the employer has the power or right to control and direct the employee in the material detail of how the work is to be performed." *Common Council of Peru v. Peru Daily Tribune, Ind.*, 440 N.E.2d 726, 729 (Ind. Ct. App. 1982) (citations omitted).

An office "is a position for which the duties include the performance of some sovereign power for the public's benefit, are continuing, and are created by law instead of contract." *Gaskin v.* Beier, 622 N.E.2d 524, 528 (Ind. Ct. App. 1993). More specifically, holders of public offices are described as being "charged with duties delegated to them under the state government, with duties imposed upon them by statute, and are subject to legislative control." *Wells v. Peden*, 94 N.E. 321, 322 (Ind. 1911). An officer is also distinguished by his or her power of supervision and control, and liability as a public offender in cases of malfeasance in office. *Gaskin*, 622 N.E.2d at 528. An officer maintains "greater importance, dignity and independence of his position" and is usually required to take an official oath and give an official bond. *Common Council of Peru, 440* N.E.2d at 730. Additionally, the duration of the officer's position is usually defined by statute. *Id.* at 731.

Is the position in question lucrative? An office is considered "lucrative" when there is attached compensation for services rendered. Book v. State Office Bldg. Comm'n, 149 N.E.2d 273, 289 (Ind. 1958). Lucrativeness does not depend on the amount of compensation affixed to the office. Id. Compensation may be in the form of a salary or may be a per diem payment. A "per diem is not a fee, salary or wages. It is a compensation for a service given the government for a day or a part of a day." 70 Ind. Op. Att'y Gen. 260 (1954). Even if the officer chooses not

to accept compensation, as long as he or she is entitled to the pay affixed to the performance of the office's duties, the office is considered lucrative. *Dailey v. State*, 8 Blackf. 329 (Ind. 1846). Only pure reimbursement for expenses actually incurred in connection with the officer's duties (such as travel expenses) does not constitute compensation. 45 Ind. Op. Att'y Gen. 259 (1960) (explaining *Book*, 149 N.E.2d at 289).

Are city and county officials affected? City and county officials whose duties are conferred by statute for a public purpose are generally considered officeholders for purposes of Article II, Section 9. However, if the duties of a local city or county officer are purely municipal in nature and the officer has no duties to perform under the laws of the state, such offices are not lucrative offices. See Platt v. Kirk, 44 Ind. 401 (Ind. 1873).

What if state law requires an officer also serve on another board? "[A]n office is not necessarily created by a statute that imposes additional duties and powers upon an officer." Book, 149 N.E.2d at 290. No dual office holding violation occurs where state law simply requires an officer to perform additional duties by serving on another board or commission. Id. (discussing the Governor's duty to also serve on the State Office Building Commission).

In summary: If state law grants any of the State's sovereign power (i.e., eminent domain, prosecution, taxation) to a public service position and the officeholder is entitled to any monetary compensation for service, then the public service position is considered a lucrative office for purposes of Article II, Section 9.

What are examples of lucrative and non-lucrative offices?

Appendix A to this Guide provides a list of public service positions that have been determined to be either lucrative or non-lucrative offices. Be advised that laws forming the basis for earlier decisions by courts or the Attorney General may have been amended or repealed since the publication of this Guide. Therefore, your attorney should assist you in determining whether a particular court or Attorney General opinion is still applicable. Appendix B contains a list of Attorney General Opinions and court decisions that have been overruled or are no longer based on current law. Appendix C includes additional resources that may be of assistance in your analysis.

What is the correct procedure to determine the right to an office?

Indiana Code section 34-17-1-1 provides that an information may be filed against a person unlawfully holding a public office. The information may be filed by the prosecuting attorney or by any other person who claims an interest in the office. Ind. Code § 34-17-2-1. In such a case, the plaintiff must demonstrate personal interest in right or title to the office. *Brenner v. Powers*, 584 N.E.2d 569, 576 (Ind. Ct. App. 1992).

If a person holds two lucrative offices in violation of Article II, Section 9, what are the consequences?

A lucrative officeholder who accepts a second lucrative office thereby surrenders or vacates the first office. *Chambers v. State ex rel. Barnard*, 26 N.E. 893, 894 (Ind. 1891); *Bishop v. State ex rel. Griner*, 48 N.E. 1038, 1041 (Ind. 1898); *Wells*, 94 N.E. at 323. A successor must

be appointed or elected, depending on the law applicable to the office. *Gosman v. State*, 6 N.E. 349, 353 (Ind. 1886). The acts of a de facto officer performed before being ousted from office are typically held to be valid as a matter of public policy. Courts have determined that the public should not suffer from the acts of an officer who may have had defective title or no title at all. *State ex rel. Bishop v. Crowe*, 50 N.E. 471, 473-74 (Ind. 1898); *State v. Sutherlin*, 75 N.E. 642, 646 (Ind. 1905).

A person holding both a lucrative state office and a lucrative federal office may be expelled from the state office by order of a state court. *Foltz v. Kerlin*, 4 N.E. 439, 440-41 (Ind. 1886); 1987-88 Op. Att'y Gen. No. 87-17.

Under the four-part analysis, what if both public service positions are lucrative offices?

If both public service positions are lucrative offices, then holding both offices simultaneously infringes on Article II, Section 9's prohibition against dual office holding. Because one may not hold two lucrative offices at the same time, no further inquiry is necessary under the four-part analysis set out above. If, on the other hand, you have determined that one or both public service positions is not a lucrative office, you should continue your analysis by considering questions 2 through 4 of the inquiry.

II. Would holding both positions violate the constitutional doctrine of "separation of powers" under Indiana Constitution Article III, Section 1?

The Indiana Constitution divides the powers of state government into three separate departments: Legislative, Executive (including Administrative), and Judicial. It prohibits a person charged with official duties under one of the departments from exercising the functions of another department. Article III, Section 1 of the Indiana Constitution provides:

The powers of the Government are divided into three separate departments; the Legislative, the Executive including the Administrative, and the Judicial; and no person charged with official duties under one of these departments, shall exercise any of the functions of another, except as in this Constitution expressly provided.

The doctrine serves to rid each of the separate departments of state government from any control or influence by either of the other state government departments. *State ex rel. Black v. Burch*, 80 N.E.2d 294, 300-03 (Ind. 1948); *Schloer v. Moran*, 482 N.E.2d 460, 463 (Ind. 1985); *Phelps v. Sybinsky*, 736 N.E.2d 809, 815 (Ind. Ct. App. 2000).

Must one be an office holder in both departments for a separation of powers violation to occur?

The separation of powers prohibition is not a law against dual office holding and therefore, the simultaneous holding of public offices is not necessary for a violation to occur. *See Book*, 149 N.E.2d at 296. Thus, even if a person is not a dual officeholder, he or she may be

in violation of the separation of powers prohibition by being an officer in one department and also performing functions in another department. *Id. See* 1983-84 Op. Att'y Gen. No. 83-5. If a person charged with official duties in one state government department is employed to perform duties, official or otherwise, in another department, the door is opened to influence and control by the employing department. *Black*, 80 N.E.2d at 302.

Is Article III, Section 1 applicable to municipal positions?

"[Article III, Section 1] relates only to the state government and officers charged with duties under one of the separate department s of the state and not to municipal governments and officers." *Gaskin*, 622 N.E.2d at 529; *State v. Monfort*, 723 N.E.2d 407, 414 (Ind. 2000). However, Indiana Code chapter 36-4-4 sets out the separation of powers for city branches of government.

III. Are the positions incompatible and does holding both create a conflict of interest or a public policy concern?

The fact that a proposed dual office holding does not violate constitutional provisions does not determine finally whether dual office holding is permissible. It is necessary to review potential conflicts of interest between the two offices and also public policy concerns.

When are two positions incompatible?

Generally, a public officer is prohibited from simultaneously holding two incompatible offices. Offices are incompatible when there are potential conflicting or adverse interests between the two positions.

Conflicts of interest arise when one office is subordinate to the other or where the functions of the two offices are "inherently inconsistent and repugnant." *Metcalf v. Goff*, 9 A.226, 227 (R.I. 1887). When one person cannot "discharge faithfully, impartially, and efficiently the duties of both offices, considerations of public policy render it improper for an incumbent to retain both." 63C Am. Jur. 2d *Public Officers and Employees* §58 (2007). Public policy is determined by considering the Indiana Constitution, state law, the practice of the state's administrative officers, and the decisions of the Indiana Supreme Court. *See Hogston v. Bell*, 112 N.E. 883, 886 (Ind. 1916).

Potential conflicts may arise in representation, salary negotiations, supervision and control of duties, and a public obligation to exercise independent judgment. 63C Am Jur. 2d at §58; see also Wells, 94 N.E.2d at 323 (discussing two incompatible offices); see also 1951 Op. Att'y Gen. No. 77; 1954 Op. Att'y Gen. No. 70; 1967 Op. Att'y Gen. No. 11. When such incompatibility exists, the acceptance of the latter office vacates the first office. 1954 Op. Att'y Gen. No. 70.

When is a conflict of interest a crime?

In certain circumstances, Indiana Code section 35-44-1-3 prohibits a public servant who knowingly or intentionally has a pecuniary interest in, or derives a profit from, a contract or purchase connected with an action by the governmental entity served by the public. Such activity may result in a Class D felony charge. Further, even if there is no injury or actual benefit from the conflict of interest, the law does not permit public servants to place themselves in a situation where they may be tempted to do wrong. *Cheney v. Unroe*, 77 N.E. 1041, 1042 (Ind. 1906); 1989 Op. Att'y Gen. No. 89-3. To deter conflicts of interest, the courts hold all such conflicting employment void. *Cheney*, 77 N.E. at 1042.

Who determines when holding both positions creates a conflict of interest or violates public policy?

The public servant's appointing authority determines whether such positions are incompatible. *See Gaskin*, 622 N.E.2d at 530. Past Attorney Generals have declined to opine on the question of incompatibility for the appointing authority absent blatant conflicts of interest or violations of public policy. 1961 Op. Att'y Gen. No. 4; 1967 Op. Att'y Gen. No. 11; 1989 Op. Att'y Gen. No. 89-3.

IV. <u>Does a federal, state or local law or regulation prohibit the simultaneous holding of both offices?</u>

What are the prohibitions under the federal Hatch Act?

Since 1939, the federal Hatch Act, at 5 U.S.C. §§ 1501-1508, has limited the political activity of individuals employed by state, county, or municipal executive agencies that are affiliated with programs financed in whole or in part by federal loans or grants. The Hatch Act prohibits certain state or local employees from the following: 1) using official authority or influence to affect the result of an election or nomination for office; 2) coercing a state or local officer to pay, lend or contribute to a party, committee, etc. for political purposes; or 3) being candidates for elective office. 5 U.S.C. §1502(a).

The Hatch Act's limitations do not apply to: 1) the Governor or Lieutenant Governor; 2) the mayor of a city; 3) a duly elected head of an executive department of a state or municipality who is not classified under a State or municipal merit or civil-service system; or 4) an individual holding elective office. 5 U.S.C. § 1502(c).

If an officer or employee violates the Hatch Act, the U.S. Merit Systems Protection Board may determine that the violation requires the officer or employee be dismissed from employment. The employing governmental entity must either remove the employee or forfeit a portion of the federal assistance equal to two years salary of the employee.

Employees may obtain answers to specific questions regarding political activity by calling the U.S. Office of Special Counsel at 1-800-85-HATCH. Further information is available at http://www.osc.gov/ha_state.htm.

Do other laws affect dual office holding?

Appendix A includes a list of additional state statutory restrictions on officers. Local officers should also consult local laws for any additional restrictions.

Appendix A

Lucrative and Non-Lucrative Office Examples

Examples of officers determined to be lucrative or non-lucrative are organized in the following manner:

Section 1: Lucrative officers as determined by Indiana courts and

Indiana Attorney General opinion.

Section 2: State laws restricting dual office holding.

Section 3: Non-lucrative offices as determined by Indiana courts and

Indiana Attorney General opinion.

Section 4: Offices made non-lucrative under Indiana law.

1. Lucrative Offices as Determined by Indiana Courts and Indiana Attorney General Opinion:

- Alcoholic beverage board member: 1951 Op. Att'y Gen. No. 78.
- **Armed forces officer (federal)**: 1942 Op. Att'y Gen. 76.
- Attorney General: State ex rel. Steers v. Holovachka, 142 N.E.2d 593, 602 (Ind. 1957).
- Circuit court judge: 1942 Op. Att'y Gen. 76.
- City clerk treasurer: Wilson v. Niesse, 244 N.E.2d 436, 437 (Ind. 1969).
- City council member**: 1991 Op. Att'y Gen. No. 91-14.
- **City judge**: 1960 Op. Att'y Gen. No. 45.
- **City mayor**: *Howard v. Shoemaker*, 35 Ind. 111 (1871); 1967 Op. Att'y Gen. No. 22; 1962 Op. Att'y Gen. No. 67; 1942 Op. Att'y Gen. 88; 1949 Op. Att'y Gen. No. 6.
- City Police Chief: Felder v. Oliverio, 934 F.Supp. 1032, 1038 (U.S. Dist. Ct. 1996) (using the same analysis for determining who is an officer for purposes of Art. II, § 9, the court determined a city police chief is an officer under Art. XV, § 2).
- City sanitary district board member: 1987-88 Op. Att'y Gen. No. 88-1.
- **City school board member**: 1951 Op. Att'y Gen. No. 72.
- City Traffic Engineer: 1997 Op. Att'y Gen. No. 97-1.
- Colonel of volunteers: Kerr v. Jones, 19 Ind. 351 (Ind. 1862); 1942 Op. Att'y Gen. 76.
- County auditor: State ex rel. Cornwell v. Allen, 21 Ind. 516 (Ind. 1863).
- County board of public welfare member: 1957 Op. Att'y Gen. No. 12; 1966 Op. Att'y Gen. No. 33.

- County board of registration member: 1989 Op. Att'y Gen. No. 89-7; 1991 Op. Att'y Gen. No. 91-14.
- County commissioner: Dailey v. State, 8 Blackf. 329 (Ind. 1846); Thompson v. Hays, No. 72A01-0607-CV-294, 2007 WL 1614683 (Ind. Ct. App. June 6, 2007); 1957 Op. Att'y Gen. No. 13; 1962 Op. Att'y Gen. No. 67.
- County coroner: 1987-88 Op. Att'y Gen. No. 88-12; 1989 Op. Att'y Gen. No. 89-4.
- **County council member**: 1951 Op. Att'y Gen. No. 78.
- County court referee: 1987-88 Op. Att'y Gen. No. 87-17.
- County director of public welfare: 1936 Op. Att'y Gen. 155.
- County election board member: 1981-82 Op. Att'y Gen. No. 81-9; 1961 Op. Att'y Gen. No. 30; 1987-88 Op. Att'y Gen. No. 88-5; Ind. Code § 3-6-5-3.
- County health officer: 1967 Op. Att'y Gen. No. 29; 1987-1988 Op. Att'y Gen. No. 88-12.
- County highway engineer: 1997 Op. Att'y Gen. No. 1.
- County highway superintendent: 1987-88 Op. Att'y Gen. No. 88-1.
- County highway supervisor: 1967 Op. Att'y Gen. No. 39.
- County Plan Commission member: 1954 Op. Att'y Gen. No. 70.
- County recorder: *Dailey v. State*, 8 Blackf. 329 (Ind. 1846).
- County surveyor: 1917-1920 Op. Att'y Gen. 78; 1933 Op. Att'y Gen. 254.
- County welfare department investigator: 1936 Op. Att'y Gen. 412.
- **Deputies of lucrative officeholders** (except for appointed deputies of political subdivisions or a judicial circuit): *Wells v. State ex rel. Peden*, 94 N.E. 321, 322 (Ind. 1911); 1980 Op. Att'y Gen. No. 3.
- **Deputy gas inspector**: 1929-30 Op. Att'y Gen. 747.
- **Deputy insurance commissioner**: 1947 Op. Att'y Gen. 40.
- **Deputy postmaster**: *Bishop v. State ex rel. Griner*, 48 N.E. 1038, 1041 (Ind. 1898); 1907-08 Op. Att'y Gen. 442.
- **Deputy secretary of state**: 1929-30 Op. Att'y Gen. 78.
- Federal Magistrate: 1987-88 Op. Att'y Gen. No. 87-17.
- Game warden for Indiana Conservation Department: 1929-30 Op. Att'y Gen. 745.
- Game warden, United States deputy: 1931-32 Op. Att'y Gen. 462; 1929-30 Op. Att'y Gen. 745.
- General Assembly membership: Ind. Const. art. IV, § 30; 1938 Op. Att'y Gen. 270; 1944 Op. Att'y Gen. No. 110; 1953 Op. Att'y Gen. No. 96; 1954 Op. Att'y Gen. No. 70; 1960 Op. Att'y Gen. No. 9; 1961 Op. Att'y Gen. No. 7; 1961 Op. Att'y Gen. No. 18; 1967 Op. Att'y Gen. No. 1.

- **Health officer**: 1927-29 Op. Att'y Gen. 248; 1987-88 Op. Att'y Gen. No. 88-12.
- Institute for the Education of the Deaf and Dumb trustee: Chambers v. State ex rel. Barnard, 26 N.E. 893 (Ind. 1891).
- **Justice of the Peace**: State ex rel. Kopinski v. Grzeskowiak, 59 N.E.2d 110, 111 (Ind. 1945).
- Muscatatuck Colony trustees and superintendent: 1938 Op. Att'y Gen. 270.
- Northern Indiana Children's Hospital board of trustees member: 1949 Op. Att'y Gen. No. 98.
- **Notary public**: *Sharp v. State*, 99 N.E. 1072, 1074 (Ind. App. 1912); 1907-08 Op. Att'y Gen. 467; 1917-20 Op. Att'y Gen. 49; 1917-20 Op. Att'y Gen. 78; 1917-20 Op. Att'y Gen. 102; 1923-24 Op. Att'y Gen. 14; 1957 Op. Att'y Gen. No. 12.
- **Prison director**: *Howard v. Shoemaker*, 35 Ind. 111 (Ind. 1871); *State ex rel. Platt v. Kirk*, 44 Ind. 401 (Ind. 1873).
- **Prosecuting attorney**: *State ex rel. Steers v. Holovachka*, 142 N.E.2d 593, 602 (Ind. 1957); 1929-30 Op. Att'y Gen. 747; 1960 Op. Att'y Gen. No. 9.
- Public Employees Retirement Fund trustee: 1947 Op. Att'y Gen. No. 40.
- Public Service Commission public counselor: 1947 Op. Att'y Gen. No. 30.
- **Representative**: Ind. Const. art. IV, § 30; 1929-30 Op. Att'y Gen. 78; 1961 Op. Att'y Gen. No. 18; 1934 Op. Att'y Gen. 334; 1953 Op. Att'y Gen. No. 26.
- Rural mail carrier: 1907-1908 Op. Att'y Gen. 467.
- Sanitary Board member: 1997 Op. Att'y Gen. No. 97-1.
- Sanitary district trustee: 1942 Op. Att'y Gen. 88.
- School board member: 1967 Op. Att'y Gen. No. 29; 1991 Op. Att'y Gen. No. 91-14.
- **School commissioners board**: 1991 Op. Att'y Gen. No. 91-14.
- School trustee: Wells v. State ex rel. Peden, 94 N.E. 321 (Ind. 1911); Chambers v. State, ex rel. Barnard, 26 N.E. 893 (Ind. 1891); 1922 Op. Att'y Gen. 682; 1967 Op. Att'y Gen. No. 39; 1951 Op. Att'y Gen. No. 72; 1966 Op. Att'y Gen. No. 33; 1989 Op. Att'y Gen. No. 89-7.
- **Senator**: Ind. Const. art. IV, § 30; 1929-30 Op. Att'y Gen. 78; 1942 Op. Att'y Gen. 76; 1961 Op. Att'y Gen. No. 18.
- State Board of Tax Commissioners member: 1934 Op. Att'y Gen. 334.
- State Fair Board member: 1953 Op. Att'y Gen. No. 96; 1951 Op. Att'y Gen. No. 60.
- **Supreme Court reporter**: 1942 Op. Att'y Gen. 76.
- Teachers' retirement fund board of trustees member: 1961 Op. Att'y Gen. No. 18.
- **Toll bridge commission member**: 1951 Op. Att'y Gen. No. 72.
- Town board member: 1980 Op. Att'y Gen. No. 3; 1987-88 Op. Att'y Gen. No. 88-2.

- **Town board of trustees member**: *Gaskin v. Beier*, 622 N.E.2d 524, 528 (Ind. Ct. App. 1993); 1989 Op. Att'y Gen. No. 89-4.
- Township advisory board members: Pipe Creek Sch. Twp. v. Hawkins, 97 N.E. 936, 937 (Ind. App. 1912); 1987-88 Op. Att'y Gen. No. 88-2.
- **Township trustee**: *Bishop v. State ex rel. Griner*, 48 N.E. 1038, 1041 (Ind. 1898); *Foltz v. Kerlin*, 4 N.E. 439 (Ind. 1886); *Creighton v. Piper*, 14 Ind. 182 (Ind. 1860); 1935 Op. Att'y Gen. 333; 1949 Op. Att'y Gen. No. 57; 1961 Op. Att'y Gen. No. 30.
- United States marshal: 1935 Op. Att'y Gen. 333.
- Utility service board members: Common Council of Peru v. Peru Daily Tribune, Inc., 440 N.E.2d 726, 733 (Ind. Ct. App. 1982).
- **Voter registration board trustee**: 1989 Op. Att'y Gen. No. 89-7.

** - this opinion is contrary to an 1873 Indiana Supreme Court case that declared the position of city councilman to be NON-lucrative. (see city councilman on the non-lucrative list)

2. State laws Restricting Dual Office Holding:

- **Auctioneering Commission, Indiana** may not hold another elected or appointed office in either the state or federal government. Ind. Code § 25-6.1-2-1(d).
- **Board of Elections and Registration -** may not become a candidate for elected office or a member of a candidate's committee. [Lake County] Ind. Code § 3-6-5.2-4.5, [Tippecanoe County] Ind. Code § 3-6-5.4-4.5.
- Candidate's Committee Member
 - o may not be appointed county election board members, proxy of record, or alternate proxy of record. Ind. Code § 3-6-5-3.
 - o may not be appointed a member of the Lake County board of elections and registration. Ind. Code § 3-6-5.2-4.5.
 - o may not be appointed as a member of the Tippecanoe County Board of Elections and Registration. Ind. Code § 3-6-5.4-4.5.

Candidates for elected office -

- o may not be appointed county election board members, proxy of record, or alternate proxy of record. Ind. Code § 3-6-5-3.
- o may not be appointed a member of the Lake County board of elections and registration. Ind. Code § 3-6-5.2-4.5.
- o may not be appointed deputy election commissioner or employed by county election board. Ind. Code § 3-6-5-24.

- o may not be appointed as a member of the Tippecanoe County Board of Elections and Registration. Ind. Code § 3-6-5.4-4.5.
- **Circuit Court Clerk** may not be a member of a candidate for elected office's committee other than the clerk's own candidate's committee. Ind. Code § 3-6-5-3, Ind. Code § 3-6-5.2-4.5, Ind. Code § 3-6-5.4-4.5.
- Commission for Higher Education except for the one full-time faculty member and one appointed student member, may not be an employee of or serve on the governing board of any state or private college or university in Indiana. Ind. Code § 21-18-3-2.
- Commission to Regulate Plumbers except for the state department of health representative, may not hold another elective or appointive state or federal office. Ind. Code § 25-28.5-1-4.
- **County Election Board employee** may not become a candidate for elected office. Ind. Code § 3-6-5-24.
- **County Election Board member** may not hold elected office. Ind. Code § 3-6-5-3.
- **Deputy Election Commissioner** may not become a candidate for elected office. Ind. Code § 3-6-5-24.
- Employee of political subdivision as candidate for or appointed to office an employee of a political subdivision may be a candidate for any elected office and serve in that office if elected or be appointed to any office and serve in that office if appointed without having to resign as an employee of the political subdivision. Ind. Code § 36-1-8-10.5
- **Health and Hospital Corp. of Marion County Governing Board** ineligible to hold an appointive office or employment under the corporation. Ind. Code § 16-22-8-13.
- **IPS School Commissioners** may not serve in any elective or appointive office under the board of school commissioners or under the government of the civil city while serving on the board. Ind. Code § 20-25-3-3.
- **Ivy Tech State College Board of Trustees** may not hold an elective or appointed office of the state. Ind. Code § 21-22-3-3.
- **Judicial Nominating Commission** other than the Chief Justice or his designee, may not hold any other salaried public office or an office in a political party or organization; also no appointment to a judicial office so long as he is a member of the commission and for a period of three years thereafter. Ind. Const. art. VII, § 9.
- Municipal Electric Utility Joint Agency commissioner eligible to receive compensation unless holding another lucrative office. Ind. Code § 8-1-2.2-8(g).
- **Notary Public** no lucrative officeholder under the United States or the State of Indiana may serve as a notary public. Ind. Code § 33-42-2-7.
- **Redevelopment Commissioner** eligible to receive compensation unless holding another lucrative office. Ind. Code § 36-7-14-7.

- Worker's Compensation Board shall not hold any other position of trust or profit or engage in any occupation or business interfering with or inconsistent with the discharge of his duties as such member. Ind. Code § 22-3-1-1.
- **Board of Zoning Appeals Member** may not hold other elective or appointive office, except as permitted by section 36-7-4-902. Ind. Code § 36-7-4-905.

3. Non-Lucrative Offices as Determined by Indiana Courts and Indiana Attorney General Opinion:

- Attorney for board of zoning appeals: 1997 Op. Att'y Gen. No. 97-1.
- Attorney for the metropolitan planning commission: 1997 Op. Att'y Gen. No. 97-1.
- **Barber inspector**: *State ex rel. Black v. Burch*, 80 N.E.2d 294, 297 (Ind. 1948).
- **Board of public works and safety clerk**: 1947 Op. Att'y Gen. No. 24.
- **Board of public works member**: 1921-23 Op. Att'y Gen. 682.
- **Building commission membership**: *Book v. State Office Bldg. Comm'n.*, 149 N.E.2d 273, 289 (Ind. 1958).
- City attorney: 1964 Op. Att'y Gen. No. 14.
- City civil engineer: 1997 Op. Att'y Gen. No. 97-1; 1934 Op. Att'y Gen. 500; 1921-23 Op. Att'y Gen. 365.
- City clerk: 1947 Op. Att'y Gen. No. 24; *Mohan v. Jackson*, 52 Ind. 599 (Ind. 1876).
- **City councilman**: *State ex rel. Platt v. Kirk*, 44 Ind. 401 (Ind. 1873); 1917-20 Op. Att'y Gen. 49; 1923-24 Op. Att'y Gen. 649; 1944 Op. Att'y Gen. No. 110; 1949 Op. Att'y Gen. No. 6.
- **City engineer**: 1936 Op. Att'y Gen. 438; 1934 Op. Att'y Gen. 500.
- **City fireman**: *City of Peru v. State ex rel. McGuire*, 199 N.E. 151, 153 (Ind. 1936); 1964 Op. Att'y Gen. No. 56; Ind. Code § 36-8-3-12 (2007).
- City planning commission secretary: 1921-23 Op. Att'y Gen. 365.
- City police department members: Ind. Code § 36-8-3-12 (2007); Kirmse v. City of Gary, 51 N.E.2d 883, 884 (Ind. App. 1944); State ex rel. Palm v. City of Brazil, 73 N.E.2d 485, 488 (Ind. 1947); 1961 Op. Att'y Gen. No. 4.
- Committee membership: *Branham v. Lange*, 16 Ind. 497 (Ind. 1861).
- Controller of South Bend Public Transportation Corporation: 1968 Op. Att'y Gen. No. 4.
- County attorney: 1964 Op. Att'y Gen. No. 14.
- **County civil engineer**: 1997 Op. Att'y Gen. No. 97-1.
- County park manager: Mosby v. Bd. of Comm'rs, 186 N.E.2d 18, 22 (Ind. App. 1962).

- County political party chairman: *State ex rel. Kiser v. Millspaugh*, 175 N.E.2d 13, 15 (Ind. 1961).
- **Deputy inspector under the direction of the state commissioner**: *Freyermuth v. State ex rel. Burns*, 2 N.E.2d 399, 404 (Ind. 1936).
- **Deputy internal revenue collector**: 1917-20 Op. Att'y Gen. 49.
- **Deputy sheriff**: *Thompson v. Hays*, No. 72A01-0607-CV-294, 2007 WL 1614683 (Ind. Ct. App. June 6, 2007); Ind. Code § 36-8-10-11 (2007); Ind. Code § 5-6-4-3 (2007).
- **Deputy town marshal**: *Gaskin v. Beier*, 622 N.E.2d 524, 529 (Ind. Ct. App. 1993); Ind. Code § 5-6-4-3 (2007).
- **Egg Board executive secretary**: 1967 Op. Att'y Gen. No. 11.
- **Firemen**: City of Huntington v. Fisher, 40 N.E.2d 699, 700 (Ind. 1942); State ex rel. Palm v. City of Brazil, 73 N.E.2d 485, 488 (Ind. 1947); 1946 Op. Att'y Gen. No. 72.
- Housing Authority executive director: 1967 Op. Att'y Gen. No. 1.
- Indiana Flood Control and Water Resource Commission secretary: *State ex rel. Black v. Burch*, 80 N.E.2d 294, 296 (Ind. 1948); 1947 Op. Att'y Gen. No. 30.
- **Investigator for a prosecuting attorney**: 1961 Op. Att'y Gen. No. 7.
- **Judge pro tempore**: 1951 Op. Att'y Gen. No. 33.
- Library Board member: 1960 Op. Att'y Gen. No. 45.
- Motor Vehicle Department director: State ex rel. Black v. Burch, 80 N.E.2d 294, 296 (Ind. 1948).
- National Guard First Lieutenant: 1937 Op. Att'y Gen. 252.
- Northern Indiana Children's Hospital active staff member: 1949 Op. Att'y Gen. No. 98.
- Police officer: Roth v. State, 63 N.E. 460, 468-69 (Ind. 1902); City of Huntington v. Fisher, 40 N.E.2d 699, 700 (Ind. 1942); Crooke v. Lugar, 354 N.E.2d 755, 761 (Ind. App. 1976); Foley v. Consolidated City of Indianapolis, 421 N.E.2d 1160, 1164 n.5 (Ind. Ct. App. 1981); Wencke v. City of Indianapolis, 429 N.E.2d 295, 297 (Ind. Ct. App. 1981); 1946 Op. Att'y Gen. No. 72; 1966 Op. Att'y Gen. No. 39.
- **Probation officer**: 1946 Op. Att'y Gen. No. 72; 1961 Op. Att'y Gen. No. 25.
- **Professor at Indiana University**: 1933 Op. Att'y Gen. 170.
- Public officer performing ex officio the duties of another office: State ex rel. McManamon v. Felger, 102 N.E.2d 369, 370 (Ind. 1951); 1991 Op. Att'y Gen. No. 91-19; 1987-88 Op. Att'y Gen. No. 88-5.
- **Public Service Commission secretary**: 1947 Op. Att'y Gen. No. 30.
- Rural mail carrier: 1917-20 Op. Att'y Gen. 102.
- School corporation attendance officer: 1946 Op. Att'y Gen. No. 72.

- Senior judge of the Court of Appeals: *McCullough v. McCullough*, 705 N.E.2d 190, 197 (Ind. Ct. App. 1999).
- **Special judge**: 1951 Op. Att'y Gen. No. 33.
- **Teacher**: Ind. Code § 20-28-10-15; 1938 Op. Att'y Gen. 424; 1953 Op. Att'y Gen. No. 26.
- **Town trustee**: 1917-20 Op. Att'y Gen. 49; 1927-28 Op. Att'y Gen. 248; 1949 Op. Att'y Gen. No. 57.

4. Offices Made Non-Lucrative Pursuant to State Law:

- **Appointed deputy of a judicial circuit officer**: Ind. Code § 5-6-4-3.
- Appointed deputy of a political subdivision officer: Ind. Code § 5-6-4-3.
- **Attorney employed by county executive**: Ind. Code § 36-2-2-30.
- **Attorney employed by county fiscal body**: Ind. Code § 36-2-3-10.
- City employee other than an elected/appointed public officer: Ind. Code § 36-4-4-2 (2007).
- **Deputy clerk of the circuit court**: Ind. Code § 5-6-4-3.
- **Deputy county auditor**: Ind. Cod § 5-6-4-3.
- **Deputy mayor**: Ind. Cod § 5-6-4-3.
- **Deputy prosecuting attorney**: Ind. Cod § 5-6-4-3.
- **Deputy registration officer**: Ind. Cod § 5-6-4-3.
- **Deputy township assessor**: Ind. Cod § 5-6-4-3.
- **Deputy township trustee**: Ind. Cod § 5-6-4-3.
- Fire department members, including volunteers: Ind. Code § 36-8-3-12.
- **Homeland Security Foundation/Public Safety Training Foundation**: membership on the foundation does not constitute the holding of a public office. Ind. Code § 10-15-2-4.
- **Indiana Criminal Justice Institute board of trustees**: membership does not constitute holding a public office. Ind. Code § 5-2-6-4.
- Law Enforcement Academy Building Commission: membership on the commission shall not constitute holding of a public office. Ind. Code § 5-2-2-4.
- Law Enforcement Training Board and Advisory Council: membership on the law enforcement training board or the advisory council shall not constitute holding a public office; no member of the board or of the advisory council shall be disqualified from holding any public office or position by reason of his appointment or membership, nor shall any such person forfeit any office, position, or employment by reason of an appointment, notwithstanding the provisions of any statute, ordinance, or city charter. Ind. Code § 5-2-1-5.

- **Militia positions with no compensation**: offices in the militia to which there is attached no annual salary shall not be deemed lucrative. Ind. Const. art. II, § 9.
- **Motor Vehicle Sales Advisory Board**: membership does not constitute the holding of a public office. Ind. Code § 9-23-1-4.
- **Precinct election officer**: Ind. Code § 3-6-6-37.
- **Safety board members**: Ind. Code § 36-8-3-12.
- **Solid waste management district controller**: Ind. Code § 13-21-3-10(b).
- **Town police department members**: Ind. Code § 36-8-3-12.
- Township police department members: Ind. Code § 36-8-3-12.

Appendix B

Cases and Attorney General Opinions No Longer Reflecting Current Law

- **Deputy clerk of the circuit court**: *Wilson v. Niesse*, 244 N.E.2d 436, 437 (Ind. 1969).
- **Deputy County Auditor**: *Sharp v. State*, 99 N.E. 1072, 1074 (Ind. App. 1912); *Wells v. State ex rel. Peden*, 94 N.E. 321, 323 (Ind. 1911); 1962 Op. Att'y Gen. No. 15.
- **Deputy mayor**: 1981-82 Op. Att'y Gen. No. 81-9.
- **Deputy prosecuting attorney**: 1960 Op. Att'y Gen. No. 9.
- **Deputy registration officer**: 1962 Op. Att'y Gen. No. 15.
- **Deputy sheriff**: 1962 Op. Att'y Gen. No. 15.
- **Deputy town marshal**: 1980 Op. Att'y Gen. No. 3.
- **Deputy township assessor**: 1917-1920 Op. Att'y Gen. 78.
- **Deputy township trustee**: 1962 Op. Att'y Gen. No. 15.
- **Health Facility Financing Authority, Indiana**: notwithstanding the provisions of any other law, an officer or employee of the state may not be required to leave his office or employment solely because he is a member of the authority or has provided services to the authority. Ind. Code § 5-1-16-11 (1983) (*Repealed by P.L.162-2007, SEC.42.*)
- **Probation officer**: 1936 Op. Att'y Gen. 155.

Appendix C

Additional Resources

Gregory Zoeller, *Dual Office Holding Analysis: Can the Legislature Carve Out Exceptions?*, 37 Ind. L. Rev. 733 (2004).

Jeffrey Modisett, Indiana Dual Office Holding Guide (1999).

Steven G. Calabresi & Joan W. Larsen, *One Person, One Office: Separation of Powers or Separation of Personnel?*, 79 Cornell L. Rev. 1045 (1994).

The website of Indiana Attorney General Steve Carter: http://www.state.in.us/attorneygeneral/.

Revised August 2008

This revision contains all changes approved as of September 18, 2013 **RULES OF THE INDIANA REPUBLICAN STATE COMMITTEE**

PREAMBLE

To further the rights of its members to freely associate to achieve the goals of the Party, the Indiana Republican Party State Committee adopts the following rules for the organization and government of the Republican Party of the State of Indiana:

CHAPTER I: GENERAL PROVISIONS

- Rule 1-1. Subject to the Republican Party of the State of Indiana in the State Convention duly assembled, the State Committee is the supreme party authority in this state, and a permanent political body, continuous from year to year. This committee has full power to adopt all necessary rules for the government and regulation of party affairs. The State Committee shall be organized at the time and in the manner provided for elsewhere in these rules.
- Rule 1-2. If there is a conflict between these rules and a statute, the statute prevails.
- Rule 1-3. (a) These rules may be amended by a majority vote at any regular meeting of the State Committee, except for rules concerning the State Convention, which must be amended in compliance with Rule 9-47.
- (b) The Secretary of the State Committee shall mail an exact copy of any proposed amendment to each member of the Rules Committee. The Rules Committee shall review the proposed amendment and submit a recommendation concerning the proposed amendment to the State Committee.
- (c) The Secretary of the State Committee shall mail an exact copy of any proposed amendment, with a copy of the Rules Committee recommendation, to each member of the State Committee at least ten (10) days before the meeting at which the amendment is to be considered.
- (d) Mailing under subsection (b) or (c) to the last and usual place of residence of each member is considered compliance with this Rule.
- Rule 1-4. The Committees organized in these rules shall be governed by *Robert's Rules of Order*, latest revised edition, except as otherwise expressly provided in these rules.
- Rule 1-5. The right of all individual Republicans to participate in all party activities shall be sacred and inviolable.
- Rule 1-6. Each and every member and officer of any Party Committee or Subcommittee shall be a true representative Republican, in good standing in the Party. If an individual openly supports a candidate after the Primary Election, who is opposing a Republican

Candidate, they are not in good standing in the Party and may be removed for cause under Rules 3-22 and 3-23. (See Rule 1-8)

- Rule 1-7. Men and women are eligible to all offices and appointments in the Party Organization.
- Rule 1-8. Each and every member or officer of any committee, by their own act of seeking or accepting the election or appointment in the Party Organization, expressly agrees by this act to accept the privileges and penalties granted, imposed, or provided for, pursuant to the law and these rules.
- Rule 1-9. Unless expressly stated in these rules, as it is necessary to delegate authority occasionally, any reference to an officer in these rules includes "or designee" as a matter of convenience.
- Rule 1-10. (a) A quorum for the transaction of business, if required, shall be counted by any precinct, county, district, state, city, or town committee when a majority of the members of the committee are present.
- (b) As provided by Indiana Code 3-5-4-10, all ballots, poll lists, and other documents or material generated for or used by the state convention, town convention or a caucus under IC 3-13-1 and IC 3-13-11 to nominate Republican Party candidates are the property of the Republican Party. In the case of the state convention or a caucus under IC 3-13-1 presided over by the State Chairman (or the Chairman's designee), this property shall be retained and preserved by the Secretary of State Committee for at least two (2) years after the convention or caucus. In the case of a caucus under IC 3-13-1 presided over by a county chairman (or the Chairman's designee), this property shall be retained and preserved by the Secretary of the County Committee for at least two (2) years after the caucus.
- Rule 1-11. A proxy form must be submitted to the Secretary of the appropriate committee before the committee convenes. A proxy given by anyone for any purpose must be signed, but need not be notarized. No proxy may be given to any person, except to a qualified Primary Republican.
- Rule 1-12. No proxy may be given for the organization meeting of any county, district or state committee meeting for the election of the four committee officers or to fill a vacancy in the office of chairman, vice chairman, secretary or treasurer.
- Rule 1-13. "A qualified Primary Republican" refers to a voter who cast a Republican Party ballot at the most recent primary election in which the voter voted, and who is in good standing in the election district in which the person giving the proxy lives. An "election district" refers to:
 - (1) a county in the case of a county committee; or
 - (2) a county wholly or partially within the congressional district, in the case of a congressional district committee or the state committee.

Rule 1-14. All proxies must be in substantially the following form:

I, (insert name of individual), of (insert name of county) County, Indiana, residing in
the (insert name of district) Congressional District, appoint (insert name of individual
serving as proxy) residing in (insert name of county) County, Indiana, [and in
the (insert name of district) Congressional District (where applicable)] as my true and
lawful proxy to act and vote for me in my name, place, and stead at the meeting of
the (insert name of Committee) to be held at (insert name of town, city, or other
location) on the (insert day) day of (insert month), 20
I declare that this proxy is a qualified Primary Republican voter in good standing in this county, district, and state.

Rule 1-15. Any ruling or decision made by any committee, or officer of a committee, which may affect the interests of the party, its candidates, its auxiliaries, or any member of the party, is subject to appeal to the State Committee. A written copy of the complaint must be filed with the Secretary of the State Committee at least forty-eight (48) hours before the convening of the State Committee meeting at which the appeal would be heard. The State Committee may act on the appeal at that meeting, or may refer the matter to a hearing board under Chapter 6 of these rules.

Rule 1-16. (a) This Rule applies to appeals or contests before a party authority other than the State Committee. Appeals to the State Committee are governed by Rule 1-15 and Chapter 6 of these Rules.

(b) The individual filing an appeal or contest shall give written notice of the appeal or contest to the party authority which has jurisdiction to try the questions. A written copy of the appeal or contest must be filed with the party authority no later than forty-eight (48) hours before the convening of the meeting at which the appeal or contest would be heard. The party authority may, by a majority vote of those members present and voting, rule on the motion, dismiss the charges, schedule a hearing date for determination of the matter by the party authority or refer the matter to a hearing board.

Rule 1-17. Any candidate for federal, state, state legislative, or local office who has received the Republican nomination by convention, primary, appointment by a chairman, or selection by a caucus, may not be the nominee of any other political party for that same office or appear on the ballot as a candidate for another political party or as an independent candidate. Refer to IC 3-8-7-19 through 3-8-7-23.

Rule 1-18. As provided by state law, a candidate vacancy that exists on a primary ballot may not be filled for the primary election. The Party shall act in accordance with Indiana Code 3-13-1 to fill an "early candidate vacancy" or in accordance with Indiana Code 3-13-2 to fill a "late candidate vacancy" under the applicable state laws.

CHAPTER 2: THE PRECINCT COMMITTEE

Rule 2-1. There shall be a precinct committee in each election precinct in Indiana, in
which there are any registered voters. The committee shall be known as the Republican
Precinct Committee of the precinct of the ward or township,
city or town, county. The name of each precinct committee is
completed by designating the name or number of the precinct, the name or number of the
ward or township, and the name of the city or town and county, in which such precinct is
located.

- Rule 2-2. The Precinct Committee shall be composed of the precinct committeeman and the precinct vice-committeeman. There is not a gender rule for precinct committeemen or vice precinct committeemen.
- Rule 2-3. (a) No person shall be eligible for election for the office of precinct committeeman at the Primary election or appointment thereafter unless the individual:
 - (1) is a qualified elector of the precinct if elected; or qualified elector of the county if appointed; and
 - (2) is a member in good standing in the Republican Party; and
 - (3) cast a Republican Party ballot at the individual's most recent vote at a primary election; and
 - (4) has not previously voted in a Primary election he/she must have an authorization form signed by the county chairman and the candidate for committeeman saying the individual pledges full support to the Republican Party and the candidates of the Republican Party. This form (IRSC/CA-1) must be attached to the back of the CAN-37 when the candidate files his/her declaration with the county clerk or voter registration in the case of Lake and Tippecanoe counties.
- Rule 2-4. If two (2) or more candidates for the office of precinct committeeman in any precinct have an equal and the highest number of votes cast for that office, the tie shall be decided by the four (4) officers of the County Committee. Only persons whose votes were tied as certified by the County Election Board may be eligible for election by the officers. The one (1) receiving the majority of votes cast by the county officers shall be declared elected to that office.
- Rule 2-5. If a Republican voter of a precinct believes that a candidate for election as precinct committeeman of the precinct does not comply with Rule 2-3, then that individual may file a sworn complaint with the appropriate county election board under Indiana Code 3-8-1-2 no later than 12:00 noon, eighty-one (81) days before the date of the primary election for determination before election day.

- Rule 2-6. If, following the election or appointment of an individual as precinct committeeman, a Republican voter of the precinct wishes to contest that election or appointment on the grounds that the elected or appointed committeeman does not comply with Rule 2-3 or Rule 3-19, then that individual must file a sworn statement with the Secretary of the County Committee, no later than 12:00 noon, seven (7) days after election day or the appointment. The statement must set forth the specific reasons why the elected committeeman or appointed committeeman does not comply with Rule 2-3 or Rule 3-19, and must state whether this information would have permitted the filing of a statement under IC 3-8-1-2 as provided in Rule 2-5 before the election. The County Secretary shall provide a copy of this statement to the individual whose election or appointment is challenged, and to the other officers of the County Committee. The four (4) officers of the County Committee shall decide the contest by majority vote, after providing an opportunity for the committeeman and the challenger to make statements regarding the merits of the challenge.
- Rule 2-7. If the officers of the County Committee determine that the statement was not timely filed or does not state sufficient cause for the removal of the elected committeeman, the contest shall be dismissed. If the officers of the County Committee determine that there is good cause to believe that the elected committeeman does not comply with Rule 2-3, the officers shall declare the office of precinct committeeman in that precinct to be vacant. The County Chairman shall appoint an individual to fill the vacancy.
- Rule 2-8. The term of an elected precinct committeeman is four years, beginning when the appropriate county election board declares under Indiana Code 3-12-4-9(a) that the individual has been elected precinct committeeman in a precinct for the Republican Party, and ends when the appropriate county election board declares under Indiana Code 3-12-4-9 that either an individual has been elected precinct committeeman for that precinct, or that no individual has been elected precinct committeeman for that precinct. If an elected precinct committeeman no longer resides in the precinct where he was elected, then his term ends immediately and a vacancy is created.
- Rule 2-9. The term of an appointed precinct committeeman begins when the individual is appointed to fill a vacant precinct committeeman office under these rules, and, unless earlier removed by the county chairman under Rule 3-20, ends when the appropriate county election board declares under Indiana Code 3-12-4-9 that either an individual has been elected precinct committeeman for that precinct, or that no individual has been elected precinct committeeman for that precinct.
- Rule 2-10. (a) In accordance with Indiana Code 3-6-1-15, an elected precinct committeeman who does not choose to seek reelection does not retain the office following the end of the committeeman's term. Instead, the office becomes vacant at the end of the term.
- (b) In accordance with Indiana Code 3-6-1-15, an appointed precinct committeeman who does not choose to seek election to that office does not retain the

office following the end of the appointed committeeman's term. Instead, the office becomes vacant at the end of the term.

- (c) When a caucus is needed to fill a ballot or office vacancy, an appointed committeeman whose term expired on the day of the Primary is not eligible to participate in a caucus, unless the former appointed committeeman was elected to serve as committeeman in the precinct in the Primary Election or was appointed to serve in that same precinct no later than 12:00 noon on the first Tuesday following the May Primary Election in the year in which precinct committeemen are elected. Documentation of the appointment must be made on the forms prescribed by the State Committee. This documentation must be certified by the State Secretary and the County Chairman no later than 12:00 noon on the first Tuesday following the May Primary in the year when precinct committeemen are elected.
- Rule 2-11. An individual who is an appointed or elected precinct committeeman continues to serve their term as the committeeman for the precinct, even if the boundaries of the precinct are changed under Indiana Code 3-11-1.5. However, if the individual ceases to reside in the precinct as a result of the boundary change, the precinct committeeman can be removed in accordance with Rule 3-27.
- Rule 2-12. The person elected precinct committeeman shall appoint an individual person (no gender requirement) who is a qualified elector of the precinct and a member in good standing of the Republican Party, as precinct vice-committeeman, and shall certify the appointment in writing to the County Chairman and the State Party Secretary, not later than 12:00 noon on the first Tuesday following the May Primary Election of each year in which precinct committeemen are elected. The precinct vice-committeeman, who is appointed by the precinct committeeman within this allotted time, serves at the pleasure of the elected committeeman. If a vacancy occurs in a precinct vice-committeeman position appointed by an elected precinct committeeman, then the elected precinct committeeman may fill the vacancy within seven (7) days by certifying the appointment in writing to the County Chairman and the State Party Secretary. If the elected precinct committeeman fails to make the appointment in writing and within the prescribed timeframe, then the County Chairman may fill the vacancy of the precinct vicecommitteeman. If an elected precinct committeeman resigns or is removed from office, the term of the vice-committeeman who was appointed by the elected precinct committeeman expires as well.
- Rule 2-13. The person elected as the precinct committeeman may, at the committeeman's option: deliver the written appointment of their precinct vice committeeman in person, mail the document by first class mail or mail the document by certified mail return receipt requested. In all cases, the form must be received by the County Chairman and the State Party Secretary within seven (7) days immediately following the primary election. If mailed by certified mail, the post office receipt shall be retained by the precinct committeeman as proof of delivery. The County Chairman must accept and certify all appointments made by the elected precinct committeeman to the State Secretary and the County Secretary.

Rule 2-14. Any person elected as the precinct committeeman who fails or neglects to appoint a precinct vice-committeeman or fails to certify the appointment in writing to the county chairman in either manner, forfeits the right to make the appointment.

Rule 2-15. If any precinct committeeman fails or refuses to appoint a precinct vice-committeeman, or certify the appointment as stated in Rule 2-12 or Rule 2-13, the County Chairman shall appoint a vice-committeeman for the precinct by certifying the appointment to the State and County Secretary and shall notify the appointee and the precinct committeeman of the precinct in writing on the form prescribed by the State Committee. This individual serves at the pleasure of the County Chairman.

Rule 2-16. The term of a vice-committeeman begins when the individual is appointed under these rules, and, unless earlier removed by the precinct committeeman or county chairman in accordance with these rules, ends when the appropriate county election board declares under Indiana Code 3-12-4-9 that either an individual has been elected precinct committeeman for that precinct, or that no individual has been elected precinct committeeman for that precinct. In accordance with Indiana Code 3-6-1-15, a vice-committeeman does not retain the office following the end of the vice-committeeman's term. Instead, the office becomes vacant at the end of the term. Since the office of committeeman or vice committeeman is not a holdover office, if the person is reappointed following the Primary Election, new appointment forms are required as provided for in Rule 3-19.

CHAPTER 3: THE COUNTY COMMITTEE

- Rule 3-1. There shall be a committee in each county in Indiana, which shall be known as the _____County Republican Party. The name of each county committee is completed by designating the name of the county.
- Rule 3-2. The County Committee is authorized to adopt resolutions necessary and proper to perfect the organization or to provide for the government of the committee. No resolution adopted by the County Committees shall conflict with the Rules of the State Committee or any law of the State of Indiana. If there is a conflict between the Rules of the State Committee and any county resolution, the State Committee rules prevail.
- Rule 3-3. (a) Each county must send a copy of any resolution passed by the County Committee to the Secretary of the State Committee, to be kept on file at State Headquarters.
- (b) If a County Committee resolution is not filed with the Secretary of the State Committee within thirty (30) days after the date the resolution was adopted, the resolution is void.
- Rule 3-4. The County Committee is composed of the precinct committeemen and the precinct vice-committeemen of the election precincts of the county. It is imperative that these lists are kept current by the County Chairman or the County Secretary pursuant to Rule 3-21. Only those whose names appear on the official list maintained by the State Committee Secretary thirty (30) days prior to an office or ballot vacancy shall be eligible to participate in a caucus. (See Rule 3-7 for reorganization eligibility)
- Rule 3-5. All ward chairmen, all ward vice-chairmen, all township chairmen, all township vice-chairmen, and other like positions, where created, are members of the county organization, and shall be appointed by the Chairman of the County Committee. These officials, when appointed, serve as non-voting members of the County Committee, at the discretion of the County Chairman, and shall be permitted to take part in all discussion. The County Chairman shall have full power to fill vacancies in the positions set out in this Rule.
- Rule 3-6. A member of the County Committee may designate a proxy for the member, who has the power to vote for that member. However, a member of the County Committee may not vote by proxy in the reorganization of the County Committee, or in the election of the four County Committee officers.
- Rule 3-7. On the first Saturday in March 2013(and every fourth year thereafter) a meeting at some place centrally located within the county between the hours of 9:00 AM and 3:00 PM shall be called by the retiring County Chairman for the purpose of electing the four officers and organizing the county committee as deemed necessary by the newly

elected four officers. The persons eligible to vote shall be those precinct committeemen elected in the May 2012, Primary Election (and those elected every fourth year thereafter) and their appointed Vice-Committeemen as well as Precinct Committeemen and Vice Committeemen appointed by the County Chairman by October 1st, 2012, (and every fourth year thereafter), of the respective precincts of the county. The following 5 items must be followed in order for those appointed before October 1st, 2012 (and every fourth year thereafter) to be qualified to vote at this organizational meeting. IF THE LIST IS NOT SUBMITTED BY THE DATE LISTED BELOW, THEN ONLY THE ELECTED PRECINCT COMMITTEEMEN AND THEIR APPOINTED VICE-COMMITTEEMEN WILL BE ELIGIBLE TO VOTE.

- a. A list of the eligible persons MUST be submitted to the State Party Secretary on the appropriate form prescribed by the State Committee by October 3rd, 2012 and every fourth year thereafter. This list must include THE DULY ELECTED PRECINCT COMMITTEEMEN AND THEIR VICE COMMITTEEMEN that have been appointed by October 1st, 2012 (and every year thereafter).
- b. This list must include contact information (i.e. mailing address, phone number, email address, if possible, and the date of election or appointment) for each individual on the appropriate form prescribed by the State Committee. Submission of this list is preferred by email but may also be submitted by mail, fax or hand delivery as long as it is received by the State Party Secretary by October 3rd, 2012 (and every fourth year thereafter) at the close of business.
- c. The State Party Secretary will mail a certified list to the current County Chairman and the County Party Secretary by November 1st, 2012, (and every fourth year thereafter).
- d. Those Precinct Committeemen and Vice-Committeemen on this certified list will elect the four county officers in March 2013 (and every fourth year thereafter).
- e. The only four (4) exceptions to this certified list will be as follows:
 - (1) If an elected Precinct Committeeman dies or moves out of the precinct where they were elected 30 days before the March, 2013 meeting (and every fourth year thereafter), the County Chairman may submit a new name to fill this vacancy on the prescribed form to the State Party Secretary 30 days before the reorganization meeting and he/she will certify a new list to the current County Chairman and the County Party Secretary at least 15 days before the March, 2013 meeting (and every fourth year thereafter).
 - (2) If an appointed Precinct Committeeman dies, resigns or moves out of the county before the March, 2013 meeting, the County Chairman may submit a new name to fill this vacancy on the prescribed form to the State

Party secretary 30 days before the reorganizational meeting and he/she will certify a new list to the current County Chairman and County Party Secretary at least 15 days before the March, 2013 meeting (and every fourth year thereafter).

- (3) If an elected Precinct Committeeman is removed under Rules 3-22 through 3-26, the County Chairman may submit a new name to fill this vacancy on the prescribed form to the State Party Secretary 30 days before the reorganizational meeting and he/she will certify a new list to the current County Chairman and County Party Secretary at least 15 days before the March 13, meeting (and every fourth year thereafter).
- (4) When an elected Precinct Committeeman is removed under Rules 3-22 through 3-26, his/her Vice Precinct Committeeman can no longer serve per Rule 2-12. If the County Chairman appoints a new Precinct Committeeman under Rule 3-7 (3), the County Chairman may also appoint a new Vice Precinct Committeeman for this vacancy on the prescribed form to the State Party Secretary 30 days before the reorganization meeting and he/she will certify a new list to the current County Chairman and County Party Secretary at least 15 days before the March, 2013 meeting (and every fourth year thereafter).
- Rule 3-8. If no meeting is called, as provided in Rule 3-7, the County Vice-Chairman shall call the meeting. If the County Chairman and County Vice-Chairman fail to call the meeting, then the Secretary of the County Committee shall call the meeting. If none of the above officers of the County Committee call the meeting, then the Chairman of the District Committee shall call the meeting.
- Rule 3-9. The Secretary of the State Committee shall be notified in writing of the time and place of the meeting by the individual calling the meeting.
- Rule 3-10. In order to run for the office of County Chairman during reorganization or to fill a vacancy in mid-term, a person must file a written declaration of candidacy at least seventy-two (72) hours prior to a caucus or reorganization. This document must be received by both the County Secretary and the State Secretary prior to the seventy-two (72) hour deadline. In the event no one files for the office of chairman, nominations will be made from the floor and Robert's Rules of Order will be followed. When there are multiple candidates, the person with the lowest number of votes cast on the second ballot (and all ballots thereafter) shall be dropped until someone receives the majority of votes cast. This does not mean the person who receives the highest number of vote. The person must receive a majority, which is greater than 50% of the votes cast. Blank ballots do not count as votes cast. In case of dispute over the filing, the person filing must show proof of delivery by person or certified mail. All counties will observe the seventy-two (72) hour rule.

Rule 3-11. The retiring County Chairman, or the County Chairman's designee, shall preside at the organization meeting of the County Committee until a chairman has been elected. The retiring Secretary of the County Committee shall act as secretary at the organization meeting until the adjournment of the meeting. Within seventy-two (72) hours after the adjournment of the meeting, the Secretary shall forward the results of the election of county committee officers and the appointment of district representatives for any county that falls in more than one congressional district to the Secretary of the State Committee, along with the required copies of the minutes and required copies of the signin sheets from the meeting.

Rule 3-12. The County Committee shall organize by the election of the four officers in the following order: Chairman, Vice-chairman, Secretary and Treasurer. These four officers may be from the County Committee's membership, or a qualified voter in good standing in the Party from within the county. In addition, other officials, city committees, or subcommittees, may be appointed as deemed necessary to perfect the county organization, as provided for in its rules. These officials and subcommittees serve at the pleasure of the County Chairman, but not beyond the next county organization day.

Rule 3-13. No person shall be eligible to hold an office of the County Committee, unless the individual:

- (1) is a qualified elector of the county
- (2) is a member in good standing in the Republican Party
- (3) has cast a Republican ballot at the individual's most recent vote at a Primary election.

Rule 3-14. If the County Committee deadlocks, and is unable for a period of twenty-four (24) consecutive hours after the beginning of the meeting, to elect a county chairman, the County Committee shall stand adjourned, with the current county officers continuing in office, until a new county chairman is elected by the incoming State Committee. Following the election of a new County Chairman, the other three (3) officers will be elected by the County Committee within thirty (30) days, in the following order: Vice Chairman, Secretary and Treasurer.

Rule 3-15. Immediately upon the expiration of the twenty-four (24) hours specified in Rule 3-14, the retiring Secretary of the County Committee shall forward by certified mail a copy of the minutes of the county organization meeting to the Secretary of the State Committee. In the event of the absence of the retiring secretary from the county organization meeting, the Congressional District Chairman shall perform the duties of the Secretary provided for in this Rule.

Rule 3-16. The Chairman, Vice-Chairman, Secretary, and Treasurer of the County Committee serve a term of four years beginning on the day of their election, and ending on the day of the next succeeding organization, or until a successor has been duly elected. Any additional officials or subcommittees appointed serve at the pleasure of the presiding County Chairman, but not beyond the next organization day of the County Committee.

- Rule 3-17. The four County Committee officers shall be elected by secret ballot in the following order: Chairman, Vice-Chairman, Secretary and Treasurer. The County Vice-Chairman must be of the opposite sex from the person elected to the office of County Chairman. The gender rule does not apply to the office of Secretary or Treasurer. The person who received the majority (greater than 50%) of votes cast for each office, shall be elected to that office. Blank ballots do not count as votes cast. Should a mid-term vacancy occur in the office of Chairman or Vice-Chairman, the gender rule does not apply. The gender rule is applicable for the election of Chairman and Vice-Chairman at the next organization meeting.
- Rule 3-18. Subject to Rules 3-35 through 3-40, the County Committee is authorized to fill any vacancy which may occur at any time among its officers as a result of death, resignation, removal, or from any other cause.
- Rule 3-19. The County Chairman may fill any vacancy in the office of precinct committeeman or vice-committeeman (subject to Rule 2-12) by certifying the appointment to the State Secretary on the prescribed form. Anyone chosen to fill the vacancy shall be a qualified elector of the county, a member in good standing in the Republican Party, and have cast a Republican Party ballot at the individual's most recent vote at a primary election. An individual who has not previously voted in a Primary Election must have an authorization form signed by the county chairman and the person being appointed committeeman saying the individual pledges full support to the Republican Party and the candidates of the Republican party. The form (IRSC/CA-1) must be attached to the back of the appointment form when the county chairman completes the form sent to the State Committee. No precinct committeeman or vice-committeeman can be appointed in a precinct in which there are no registered voters.
- Rule 3-20. The individual appointed under Rule 3-19 serves for the term specified in Rule 2-9 (for appointed precinct committeemen) or Rule 2-16 (for vice-committeemen) and is subject to earlier removal at the pleasure of the County Chairman.
- Rule 3-21. The official written record of an appointment, resignation or removal of a precinct committeeman or vice-committeeman shall be made on the appropriate form prescribed by the State Committee (accompanied by an updated spreadsheet) and sent by the County Chairman to the Secretary of the State Committee and the County Secretary. The appointment, resignation or removal becomes effective when the State Secretary receives and date/time stamps the document or, if received in email form, is effective according to the time and date signature of the received email. Copies of all documents should be maintained by the County Secretary for permanent record.
- Rule 3-22. Elected precinct committeemen and their appointed vice-committeemen as appointed in Rule 2-12 shall be subject to removal for cause on written charges filed with the Secretary of the County Committee and the Secretary of the State Committee, who shall notify the County Chairman that these charges have been filed.

- Rule 3-23. As used in Rule 3-22, "cause" includes:
 - (1) any willful violation of these Rules, a resolution of the State Committee, or a statute pertaining to elections; or
 - (2) conviction of a felony;
 - (3) or gross misconduct affecting the party organization.
- Rule 3-24. A copy of the written charges must be sent to the Secretary of the State Committee before an individual may be removed from office under this Rule.
- Rule 3-25. Upon the County Chairman's appointment of a three (3) member hearing board from members of the County Committee, the Secretary of the County Committee shall issue the call for the hearing by certified mail, return receipt requested, to be held within thirty (30) days. The accused shall have at least ten (10) days notice of the time and place of such hearing. Upon failure of the Secretary of the County Committee to call such a meeting following the appointment of a hearing board, it shall be the duty of the County-Vice Chairman to issue the call. Removal requires a two thirds (2/3) vote of the hearing board.
- Rule 3-26. If removed, the accused shall have the right of appeal to the Chairman, Vice-Chairman, Secretary, and Treasurer of the County Committee, acting jointly.
- Rule 3-27. If a county chairman has good cause to believe that an elected precinct committeeman no longer resides in the precinct, the County Chairman may send a letter by certified mail, return receipt requested, to the State Party Secretary notifying the Secretary that he believes the elected committeeman no longer resides in the precinct. The elected precinct committeeman is removed according to Rule 2-8.
- Rule 3-28. A vacancy in the offices of County Chairman, County Vice-Chairman, County Secretary, and County Treasurer may occur by death, resignation, removal, or incapacity of the officer, or if the officer ceases to be a resident or qualified voter in the county.
- Rule 3-29. As used in Rule 3-28, "incapacity" occurs when an officer of the County Committee is completely unable to perform the duties of the office due to mental or physical illness or disability.
- Rule 3-30. If the office of County Chairman becomes vacant due to death, resignation, removal, or incapacity, or because the Chairman ceases to be a qualified voter or resident of the County, the County Vice-Chairman serves as acting County Chairman until the vacancy is filled under these Rules. If there is no County Vice-Chairman, then the County Secretary serves as acting County Chairman until the vacancy is filled under these rules. If there are vacancies in the office of Chairman, Vice-Chairman, and Secretary, the County Treasurer serves as acting Chairman until the vacancy is filled under these rules. If there is a vacancy in all four (4) offices, the State Chairman may appoint an acting

Chairman who serves until the vacancy in the office of Chairman is filled under these rules.

- Rule 3-31. A person serving as acting County Chairman under Rule 3-30 has the same authority and duties as the individual who previously served as County Chairman.
- Rule 3-32. The County Secretary shall promptly notify the Secretary of the State Committee by written notice of a vacancy in the office of the County Chairman. Upon receipt of this notice, the Secretary of the State Committee shall promptly notify the remaining officers of the County Committee and the appropriate District Chairman and Vice-Chairman or District Chairmen or Vice-Chairmen, if the county is in more than one congressional district.
- Rule 3-33. If the County Vice-Chairman, County Secretary, and County Treasurer submit a sworn statement to the Secretary of the State Committee certifying that the County Chairman is incapacitated, as defined by Rule 3-29, the Secretary of the State Committee shall notify the State Chairman. Upon receipt of this statement, the Secretary of the State Committee shall promptly notify the appropriate District Chairman and Vice-Chairman. The State Chairman shall determine the facts of the matter, and if the State Chairman concurs that the County Chairman is incapacitated, declare the office vacant. A County Chairman who disputes this determination of incapacity may appeal to the State Committee, whose decision is final.
- Rule 3-34. If the County Chairman submits a sworn statement to the Secretary of the State Committee certifying that an officer of the County Committee (other than the County Chairman) is incapacitated, as defined by Rule 3-29, the Secretary of the State Committee shall notify the State Chairman. Upon receipt of this notice, the Secretary of the State Committee shall promptly notify the remaining officers of the County Committee and the appropriate District Chairman and Vice Chairman. The State Chairman shall determine the facts of the matter, and if the State Chairman concurs that the officer is incapacitated, declare the office vacant. An officer who disputes this determination of incapacity may appeal to the State Committee, whose decision is final.
- Rule 3-35. Any officer of the County Committee may resign by giving written notice of the resignation to the County Chairman, who in turn must notify the Secretary of the State Committee no later than seven (7) days after the notice of resignation is filed. The resignation shall be effective upon receipt by the Secretary of the State Committee if no effective date is given, or by the effective date stated in the resignation letter. Upon receipt of the notice of resignation, the Secretary of the State Committee shall promptly notify the remaining officers of the County Committee and the appropriate District Chairman and Vice-Chairman of the resignation.
- Rule 3-36. If the County Chairman resigns, dies, is incapacitated, removed or is no longer a qualified voter within the county, the County Vice-Chairman shall call a meeting (caucus) of the County Committee for the purpose of electing a new County Chairman. This meeting (caucus) must be held within thirty (30) days after the vacancy occurs, and

not less than ten (10) days after the call (notice) is issued. The call shall be by written notice, which shall contain the purpose of the meeting (caucus), the day, date, hour and the place where the meeting (caucus) is to be held. The notice shall be delivered in person or by forwarding it by first class mail to the last known residence of the person to whom the notice is to be given, and to the Secretary of the State Committee, not less than ten (10) days before the date of the meeting (caucus) specified in the call. The officer who issued the call for the meeting (caucus) shall preside.

Rule 3-37. During a mid-term vacancy, if the County Vice-Chairman is elected as the new County Chairman, the new County Chairman shall have the authority to appoint a new Vice-Chairman within thirty (30) days of the Chairman's election to fill out the remainder of the term. The County Chairman shall notify the Secretary of the State Committee of the appointment of the Vice-Chairman. (The opposite sex rule does not apply to a mid-term vacancy).

Rule 3-38. If a meeting of the County Committee shall not be called as provided in Rule 3-36, the State Chairman or the State Chairman's designee shall promptly call the meeting and shall preside or appoint another person to preside.

Rule 3-39. If an officer other than the County Chairman dies, resigns, or is incapacitated or removed, the County Chairman shall appoint a successor (or, at the County Chairman's discretion, conduct an election by the county committee to fill the vacancy) within thirty (30) days after receipt of the notice of death, resignation, removal, or incapacity from the Secretary of the State Committee. Should the County Chairman fail to make the appointment or conduct the election, then the appointment shall be promptly made by the State Chairman. The appointee shall serve at the pleasure of the County Chairman only for the unexpired term of his or her predecessor.

Rule 3-40. Rule 3-17, which requires representation of both sexes in the offices of County Chairman and County Vice-Chairman, does not apply to elections or appointments to fill mid-term vacancies in the office of County Chairman or County Vice-Chairman. However, Rule 3-17 does apply to the election of these officers at the next following organization meeting of the County Committee.

Rule 3-41. Meetings of the County Committee (with all elected and appointed committeemen and vice committeemen invited) should be convened at least twice annually.

Rule 3-42. A meeting of the County Committee may be convened at any other time upon call of the County Chairman, or upon written notice signed by not less than twenty-five per cent (25%) of the members of the County committee who have been members at least thirty (30) days prior to the meeting date (whether elected or appointed). If a meeting is called by members of the committee, it must be called within twenty (20) days from the date the first signature is obtained. A written notice, signed by each member joining in the call, shall be given to every member and officer at least ten (10) days in advance of such meeting. The notice shall state the purpose for which the meeting is called.

- Rule 3-43. (a) At a meeting called under Rule 3-42, a member of the County Committee may make a motion to call for a special meeting to consider the removal of one or more officers of the County Committee, who must be specifically identified in the motion. This motion, if seconded, must be taken under consideration immediately by the County Committee.
- (b) If the motion is adopted by a majority of those present, the County Committee shall convene at a date, time, and location set under Rule 3-45(b). The County Secretary shall file a written notice of the need for a special meeting with the Secretary of the State Committee no later than seven (7) days after the adoption of this motion.
- (c) If the motion fails, the County Committee shall be prohibited from considering removal of the officer in question for at least one hundred and eighty (180) days or until the next reorganization, whichever comes first.
- Rule 3-44. If a special meeting is held pursuant to a motion adopted under Rule 3-43, a motion to remove a County Committee officer requires a vote by two-thirds (2/3) of the eligible precinct committeemen and vice-committeemen to be adopted.
- Rule 3-45. (a) Except for a special meeting conducted pursuant to a motion adopted under Rule 3-43, the County Chairman shall preside at all meetings of the County Committee.
- (b) If a special meeting is conducted pursuant to Rule 3-43, the State Chairman (or the chairman's designee) shall preside at the meeting of the County Committee. The State Chairman (or the chairman's designee) shall set the date, time, and location of a subsequent meeting to consider removal of one or more officers in question, and shall provide notice to County Committee members under Rule 3-47 within ten (10) days after the Secretary of the State Committee receives notice under Rule 3-43. The meeting must be conducted within thirty (30) days after notice is provided under this subsection.
- (c) Notwithstanding any other rule, an individual may not be appointed or removed as a precinct committeeman or as a vice-committeeman beginning when the motion is adopted under Rule 3-43(a) or when the required percentage of county committee members have signed a written notice under Rule 3-42, and ending at the adjournment of the special meeting.
- Rule 3-46. Excepting a tie vote at the organization meeting or in filling a vacant office on a County Committee, the County Chairman may cast the deciding vote in case of a tie.
- Rule 3-47. Notice of meetings called by the County Chairman shall be given by the County Chairman in written form (including electronic mail if available) to each member of the County Committee and sent to the last known mailing address of the County Committee member.
- Rule 3-48. When, for any reason, there is no Republican candidate for a circuit (located entirely in one county), county, township, or city office at a general, municipal, or special election, the vacancy shall be filled by the majority vote of the eligible precinct committeemen casting a vote for a candidate (as required under Indiana Code 3-13-1-11).

Caucus rules (use the guideline of Caucus Rules of Procedure adopted by the State Committee) stating how a tie would be broken, must be adopted prior to the taking of the vote. The County Chairman, who shall preside at this meeting, must follow the adopted caucus rules.

Rule 3-49. The County Committee may delegate its authorization to fill ballot vacancies for local offices to the County Chairman, or to a caucus of the County Chairman, County Vice-Chairman, County Secretary, and County Treasurer, acting jointly, in accordance with IC 3-13-1-6(a)(2). When authorization has been given by the county committee for the chairman or county officers acting jointly to fill ballot vacancies, the authorization must be clearly stated in resolution form or reflected in the minutes of the meeting where the authorization was given. A copy of the resolution or copy of the minutes must be sent to the State Committee Secretary. All office vacancies must be filled by caucus.

Rule 3-50. If a ballot or office vacancy occurs in any judicial circuit or state legislative district, such vacancy shall be filled by the precinct committeemen (and vice-committeemen, if the vice-committeemen are serving as proxies under IC 3-13-1-11.5) acting jointly who have precincts within the jurisdiction where the vacancy occurred. The time and place of the joint meeting shall be fixed by the State Chairman. The State Chairman (or his/her designee) shall preside at such meeting and may cast the deciding vote in case of a tie.

Rule 3-51. Any information, such as compilations of the names of registered voters, kept and available at County Headquarters, shall only be used for the political benefit of the Indiana Republican Party. The use of this information can only be requested or authorized by the County Chairman for county, township, city, or town races. Subject to Rule 6-38, the County Chairman shall decide questions concerning the use of this information if a dispute occurs. The County Chairman (or the Chairman's designee) shall keep a record of the authorization and distribution of this information.

CHAPTER 4: THE POLL

- Rule 4-1. The County Committee of every county in Indiana may take, or cause to be taken, a poll of the voters of each precinct within the county prior to each general election, in accordance with IC 3-6-11. The County Chairman may delegate this duty to other Republican organizations, but may not delegate the responsibility.
- Rule 4-2. The County Chairman shall issue proper identification to every person who participates in taking the poll. The identification certificate shall show the nature of the association of the poll taker and that the poll is being taken on behalf of the Republican Party, and shall cite the statute in accordance with which the poll is being taken. The name of the poll taker must be displayed and the document signed by the chairman of the authorizing committee. Every poll taker shall have their identifying certificates in their possession at all times while engaging in the poll.
- Rule 4-3. Every poll taker so appointed shall make a full and complete list of all persons reported to the poll taker as voters, designating the political affiliation of each voter and any other information the County Chairman shall prescribe.
- Rule 4-4. Except as provided in this rule, following the general election, all poll records shall be delivered to and kept in the custody of the County Chairman. Failure to return the poll records upon request of the County Chairman is negligence in duty on the part of the precinct committeeman or vice-committeeman. The precinct committeeman shall retain a copy of the poll records described by this Rule.

<u>CHAPTER 5:</u> THE CONGRESSIONAL DISTRICT COMMITTEE

- Rule 5-1. There shall be a committee in each of the congressional districts of the State, which shall be known as the ______District Republican Congressional Committee. The name of each congressional district committee is completed by designating the number of the congressional district.
- Rule 5-2. The Congressional District Committee shall be composed of the County Chairman and the County Vice-Chairman of each of the several counties in the Congressional District. However, in Congressional Districts composed of whole counties and fractional counties, Congressional District Committees shall be composed of the County Chairmen and County Vice-Chairmen of those counties and their representatives.
- Rule 5-3. Each County Chairman and County Vice-Chairman or each district representative shall be entitled to cast one (1) vote on all matters coming before the Congressional Committee. The District Chairman, District Vice Chairman, District Secretary and District Treasurer are also voting members of the District Committee, except for the election of officers during the reorganization or in the event of a mid-term office vacancy.
- Rule 5-4. (a) District representatives consist of one (1) male and one (1) female elector of the county, who may be appointed by the County Chairman following county reorganization.
- (b) A County Chairman must file written notice of the appointment of a district representative with the Secretary of the State Committee within seventy-two (72) hours after the county reorganization or the representative will not be allowed to participate in the district reorganization or caucus.
- (c) A district representative serves, attends and votes at the pleasure of the County Chairman, but in any case, the term of the representative expires as of the adjournment of the next organization meeting.
- Rule 5-5. A member of the Congressional District Committee or a District representative may designate a proxy for the member or representative. A proxy has the power to vote for that member or representative. However, a Congressional District member or representative may not vote by proxy in the reorganization of the Congressional District Committee, or in the election of Congressional District Committee officers.
- Rule 5-6. The Secretary of the State Committee shall, at least thirty (30) days prior to the county organization meetings in years of congressional district organization, certify to each District and County Chairman, the number of district representatives and the vote which each is entitled to have on the various district congressional committees.

- Rule 5-7. (a) The District organization meeting shall be held between the hours of 9:00 a.m. and 3:00 p.m. on the-second (2nd) Saturday in March 2013, following the County organization meeting, and every fourth (4th) year thereafter at the place fixed by the District Chairman.
- (b) Except however not withstanding section (a), a district reorganization meeting shall also be held within ninety (90) days after new Congressional districts are established to elect district officers to serve until the next quadrennial organization meeting under this rule is held.
- Rule 5-8. The Congressional District Committee shall meet and organize by electing their officers, with the retiring District Chairman, or the retiring District Chairman's designee, presiding until a new District Chairman is elected. The retiring District Secretary shall act as secretary at the organization meeting until the adjournment of the meeting. In order to run for District Chairman, a person must file a written declaration of candidacy at least seventy-two (72) hours prior to the caucus or reorganization. This document must be received by both the District Secretary and the Secretary of the State Committee prior to the seventy-two (72) hour deadline. In the event no one files for the office of chairman, nominations will be made from the floor and Robert's Rules of Order will be followed. In case of dispute over the filing, the person filing must show proof of delivery by person or certified mail. When there are multiple candidates, the person with the lowest number of votes cast on the second ballot (and all ballots thereafter) shall be dropped until someone receives the majority of votes cast.
- Rule 5-9. The four District Committee officers shall be elected by secret ballot in the following order: Chairman, Vice-Chairman, Secretary and Treasurer. The District Vice-Chairman must be of the opposite sex from the person elected to the office of District Chairman. The gender rule does not apply to the office of Secretary or Treasurer. The person who receives a majority (greater than 50%) of votes cast of those present and voting for each office shall be elected to that office. Blank ballots do not count as votes cast. Should a midterm vacancy occur in the office of Chairman or Vice-Chairman, the gender rule does not apply; however, the gender rule is applicable for the election of Chairman and Vice-Chairman at the next organization meeting.
- Rule 5-10. These four (4) Congressional District officers may be from the District Committee's membership, or be a qualified voter from the counties comprising the district and:
 - (1) is a qualified elector of the county
 - (2) is a member in good standing in the Republican Party
 - (3) has cast a Republican ballot at the individual's most recent vote at a Primary election

Any officer, official or subcommittee member appointed must meet the same qualification as all persons elected. In addition, other officials or subcommittees may be appointed as deemed necessary to perfect the District Committee's organization, and serve at the pleasure of the District Chairman, but not beyond the next congressional district organization.

- Rule 5-11. If no meeting is called, as provided in Rule 5-8, the Vice-Chairman shall call the meeting. If the Chairman and Vice-Chairman fail to call the meeting, then the Secretary of the District Committee shall call the meeting. Upon failure of the above officers of the District Committee to call the meeting, the State Chairman shall call the meeting.
- Rule 5-12. Notification of the meeting, including the time and place, must be sent to the Secretary of the State Committee. Immediately after the adjournment of the meeting, the District Secretary shall forward the results of the election of Congressional District Committee officers to the Secretary of the State Committee, along with copies of the minutes and copies of the sign-in sheets from the meeting.
- Rule 5-13. If the Congressional District Committee deadlocks, and is unable to elect a District Chairman within twenty four (24) consecutive hours from the hour set for the District Committee to meet, the District Committee shall stand adjourned, with the current district officers continuing in office, until a new District Chairman of the Congressional District Committee is elected by the incoming State Committee. Upon the election of a District Chairman by the State Committee, the District Chairman shall call a meeting of the District Committee to elect the remaining officers.
- Rule 5-14. Immediately upon the expiration of the twenty-four (24) hours specified in Rule 5-13, the retiring Secretary of the District Committee shall report the result of the meeting to the Secretary of the State Committee. In the event of the absence of the retiring District Secretary from the congressional district organization meeting, the Congressional District Chairman shall perform the duties of the District Secretary provided for in this Rule.
- Rule 5-15. Subject to Rule 5-7, the Chairman, Vice-Chairman, Secretary, and Treasurer of the Congressional District Committee shall serve a term of four years, beginning on the day of their election, and ending on the day of the next succeeding organization meeting of the Congressional District Committee, or until a successor has been duly elected. However, the term of any officer elected to fill any vacancy shall not extend beyond the day of the next organization meeting of the Congressional District Committee.
- Rule 5-16. A vacancy in the office of District Chairman, District Vice-Chairman, District Secretary, and District Treasurer may occur by death, resignation, removal, or incapacity of the officer, of if the officer ceases to be a resident or qualified voter in a county which is wholly or partially in the district.
- Rule 5-17. As used in Rule 5-16, "incapacity" occurs when an officer of the District Committee is completely unable to perform the duties of the office due to mental or physical illness or disability.
- Rule 5-18. If the office of District Chairman becomes vacant due to the death, resignation, removal, or incapacity, or because the Chairman ceases to be a resident in a

county which is wholly or partially within the district, the District Vice-Chairman serves as acting District Chairman until the vacancy is filled under these Rules. If there is no District Vice Chairman, then the District Secretary serves as acting District Chairman until the vacancy is filled under these Rules. If there is no District Chairman, Vice-Chairman, or Secretary, then the District Treasurer serves as acting District Chairman until the vacancy is filled under these Rules. If there is no District Chairman, Vice-Chairman, Secretary, or Treasurer, the State Chairman may appoint an acting District Chairman who serves until the vacancy in that office is filled under these Rules.

Rule 5-19. A person serving as acting District Chairman under Rule 5-18 has the same authority and duties as the individual who previously served as District Chairman.

Rule 5-20. The District Secretary shall promptly notify the Secretary of the State Committee by written notice of a vacancy in the office of District Chairman. Upon receipt of this notice, the Secretary of the State Committee shall promptly notify the remaining officers of the District Committee.

Rule 5-21. If the District Vice-Chairman, District Secretary, and District Treasurer submit a sworn statement to the Secretary of the State Committee certifying that the District Chairman is incapacitated, as defined by Rule 5-17, the Secretary of the State Committee shall notify the State Chairman. The State Chairman shall determine the facts of the matter and, if the State Chairman concurs that the District Chairman is incapacitated, declare the office vacant. A District Chairman who disputes this determination of incapacity may appeal to the State Committee, whose decision is final.

Rule 5-22. If the District Chairman submits a sworn statement to the Secretary of the State Committee certifying that an officer of the District Committee (other than the District Chairman) is incapacitated, as defined by Rule 5-17, the Secretary of the State Committee shall notify the State Chairman. Upon receipt of this notice, the Secretary of the State Committee shall promptly notify the remaining officers of the District Committee. The State Chairman shall determine the facts of the matter and, if the State Chairman concurs that the officer is incapacitated, declare the office vacant. An officer who disputes this determination of incapacity may appeal to the State Committee, whose decision is final.

Rule 5-23. If the District Chairman resigns, dies, is incapacitated, removed, or is no longer a qualified voter within the counties of the District whether in part or in whole, the District Vice-Chairman shall call a meeting (caucus) of the District Committee for the purpose of electing a new District Chairman. This meeting (caucus) must be held within thirty (30) days after the vacancy occurs, and not less than ten (10) days after the call (notice) is issued. The call shall be by written notice, which shall contain the purpose of the meeting (caucus), the day, date, hour and place where the meeting (caucus) is to be held. The notice shall be delivered in person or by forwarding it by first class mail to the last known residence of the person to whom the notice is to be given, and to the Secretary of the State Committee, not less than ten (10) days before the date of the meeting

(caucus) specified in the call. The officer who issued the call for the meeting (caucus) shall preside.

Rule 5-24. During a mid-term vacancy, if the District Vice-Chairman is elected as the new District Chairman, the new District Chairman shall have the authority to appoint a new District Vice-Chairman within thirty (30) days of the District Chairman's election to fill the remainder of the term. (See Rule 5-9 for opposite sex ruling). The District Chairman shall notify the Secretary of the State Committee of the appointment of the District Vice-Chairman.

Rule 5-25. If a meeting of the District Committee is not called under Rule 5-23, the call will be issued by the State Chairman to elect a qualified elector of the District as District Chairman. Notice of this meeting will be mailed ten (10) days prior to the date fixed by the State Chairman for the meeting. The State Chairman or his/her designee shall preside at this meeting.

Rule 5-26. If an officer other than the District Chairman dies, resigns, is removed or incapacitated, or is no longer a qualified voter within the counties of the District whether in part or whole, the District Committee shall elect a successor to that office at a regular or called District meeting. The Chairman may appoint a successor (or at the District Chairman's discretion, conduct an election by the district committee to fill the vacancy) within thirty (30) days after the receipt of the notice of death, resignation, removal or incapacity from the Secretary of the State Committee. The individual elected to fill the vacancy serves for the remainder of the unexpired term. If the District Committee fails to elect a successor, then the vacancy shall be filled by the State Chairman.

Rule 5-27. The original official written record of the appointment or removal of a member or officer of a Congressional District Committee shall be made on the form prescribed by the State Committee and sent to the Secretary of the State Committee no later than seven (7) days after the appointment is made or the removal occurs. The Secretary of the Congressional District Committee shall maintain a copy of the appointment or removal.

Rule 5-28. Any member, officer, or representative serving on the Congressional District Committee may resign by giving written notice of the resignation to the District Chairman, who in turn must notify the Secretary of the State Committee no later than seven (7) days after the notice of resignation is filed. The resignation shall be effective upon receipt by the Secretary of the State Committee. Upon receipt of the notice of resignation, the Secretary of the State Committee shall promptly notify the remaining officers of the District Committee and the appropriate County Chairmen and Vice-Chairmen of the resignation.

Rule 5-29. The original written record of the resignation of a member or officer of a Congressional District Committee shall be made on the form prescribed by the State Committee and sent to the Secretary of the State Committee no later than seven (7) days

after the resignation is filed with the District Chairman. The Secretary of the Congressional District Committee shall maintain a copy of the resignation.

- Rule 5-30. The Congressional District Committee is authorized to adopt resolutions necessary and proper to perfect the organization or to provide for the government of the District Committee. No resolution adopted by the District Committee shall conflict with the Rules of the State Committee or any law of the State of Indiana. If there is a conflict between the Rules of the State Committee and any District Committee resolution, the State Committee rules prevail.
- Rule 5-31. (a) Each District Committee must send a copy of any resolution passed by the District Committee to the Secretary of the State Committee, to be kept on file at State Headquarters.
- (b) If a District Committee resolution is not filed with the Secretary of the State Committee within thirty (30) days after the date the resolution was adopted, the resolution is void.
- Rule 5-32. The Congressional District Committee shall be convened upon the call of the District Chairman at least four (4) times each year at some convenient and central point in the District for the general welfare of the party, for the success of the Republican ticket, and to aid the congressional and legislative candidates of the Republican Party.
- Rule 5-33. A meeting of the Congressional District Committee may be convened at any other time upon call of the District Chairman, or upon written call signed by not less than a majority of the members of the District Committee. If a meeting is called by members of the District Committee, it must be called within twenty (20) days from the date the first signature is obtained. A written notice, signed by each member joining in the call, shall be given to every member and officer who has not joined in the call at least ten (10) days in advance of such meeting. The notice shall state the purpose for which the meeting is called.
- Rule 5-34. (a) At a meeting called under Rule 5-33, a member of the District Committee may make a motion to call for a special meeting to consider the removal of one or more officers of the District Committee, who must be specifically identified in the motion. This motion, if seconded, must be taken under consideration immediately by the District Committee.
- (b) If the motion is adopted by a majority of those present, the District Committee shall convene at the date, time, and location set under Rule 5-35(b). The District Secretary shall file a written notice of the need for a special meeting with the Secretary of the State Committee no later than seven (7) days after the adoption of this motion.
- Rule 5-35. (a) Except for a special meeting conducted pursuant to a motion adopted under Rule 5-34, the District Chairman shall preside at all meetings of the District Committee.
- (b) If a special meeting is conducted pursuant to Rule 5-34(b), the State Chairman (or the chairman's designee) shall preside at the meeting of the District Committee. The

State Chairman (or the chairman's designee) shall set the date, time, and location of a subsequent meeting conducted to consider the removal of one or more officers in question and shall provide notice to Congressional District Committee members under Rule 5-38 within ten (10) days after the Secretary of the State Committee receives notice under Rule 3-43. The meeting must be conducted within thirty (30) days after notice is provided under this subsection.

Rule 5-36. If a special meeting is held pursuant to a motion adopted under Rule 5-34(b), a motion to remove a District Committee officer requires a vote by two-thirds (2/3) of the eligible County Chairmen and Vice-Chairmen to be adopted.

Rule 5-37. Excepting a tie vote at the organization meeting or in filling a vacant office on a Congressional District Committee, the District Chairman may cast the deciding vote in case of a tie.

Rule 5-38. Notice of meetings called by the District Chairman shall be given by the District Chairman in written form (including electronic mail if available) to each member of the District Committee and sent to the last known mailing address of the District Committee member.

Rule 5-39. The Chairman of the Congressional District Committee in congressional districts composed of more than one county shall organize the respective counties comprising the Congressional District at an early date preceding the state campaign and shall contact each county in the District Chairman's district during the campaign as often as deemed necessary for the purpose of encouraging greater efficiency and activity in political work.

CHAPTER 6: THE STATE COMMITTEE

- Rule 6-1. There shall be a general committee for the whole state, which shall be known as the Indiana Republican State Committee. The State Committee shall be composed of the District Chairman and District Vice-Chairman of each of the Congressional Districts of the State.
- Rule 6-2. Subject to Rule 5-7, each member of the State Committee serves for a term of four years, beginning on the day of the member's election and ending on the day of the next succeeding organization of the Congressional District Committee. However, the term of anyone elected to fill any vacancy shall not extend beyond the day of the next succeeding organization of the Congressional District Committee of the district in which that member resides (or in the case of a member residing in a county partially within a Congressional District, the district the member represents).
- Rule 6-3. (a) The State Chairman, State Vice-Chairman, Secretary of the State Committee, and Treasurer of the State Committee, if elected from without the membership of the State Committee, are voting members of the State Committee, except for the election of officers during reorganization or in the event of a mid-term office vacancy.
- (b) The National Committeeman and National Committeewoman, if elected from without the membership of the State Committee, are non-voting members of the State Committee, yet have the right to take part in all Committee discussions.
- Rule 6-4. (a) A State Committee member may designate a proxy for the member, who has the power to vote for that member. However, a State Committee member may not vote by proxy in the reorganization of the State Committee, or in the election of State Committee officers.
- (b) At a reorganization meeting, or a meeting to elect State Committee officers, a State Committee member must be physically present at the meeting to be eligible to vote. In the case of a physical incapacity, the State Committee member may vote by telephone.
- Rule 6-5. The first thirty (30) minutes of every meeting of the State Committee may be open to members and adherents of the Republican Party. An individual who wishes to present an idea or suggestion must provide the Secretary of the State Committee with notice of the presentation at least forty-eight (48) hours before the hour the State Committee is scheduled to meet.
- Rule 6-6. The headquarters of the State Committee shall be, at all times, in Marion County. Subject to the approval of the State Committee, it shall be the duty of the Chairman of the State Committee to provide and furnish suitable rooms for the use and occupancy of the State Committee and its respective subcommittees.

- Rule 6-7. A quorum, for the transaction of business, shall be counted when there is present a majority of members, or certified proxies, of the State Committee. Any one (1) member, duly seconded, shall have the right to call for a vote by ballot on any question which may be submitted to the State Committee for its determination.
- Rule 6-8. The State Committee shall organize by the election of a Chairman, a Vice-chairman, a Secretary, and a Treasurer and such other officials and subcommittees as the State Committee shall deem necessary to elect or appoint and may be chosen either from the membership of the State Committee or from the membership of the Republican Party in the state at large.
- Rule 6-9. No person shall be eligible to hold an office of the State committee, unless the individual:
 - (1) is a qualified elector of the State
 - (2) is a member in good standing in the Republican Party and,
 - (3) cast a Republican Party ballot at the individual's most recent vote at a Primary election.
- Rule 6-10. (a) The chairman for each of the four (4) standing committees (Legislative, Rules, Budget/Finance, and Communication/Technology are elected from the membership of the State Committee and serve a two (2) year term. On the third Wednesday in April, 2011, an election will be held on that date and every two (2) years thereafter to elect a chairman for each of the four standing committees.
- (b) The remaining members of these committees will be appointed by the State Chairman from within the membership of the State Committee.
- Rule 6-11. The organization of the State Committee shall take place on the second (2nd) Wednesday that falls after the second (2nd) Saturday in March 2013, and every fourth year thereafter, following the election of the Congressional District officers.
- Rule 6-12. On the day designated by Rule 6-11 and between the hours of 9:00 a.m. and 3:00 p.m., the District Chairman and the District Vice-Chairman of the respective Congressional District Committees of the state shall meet at the headquarters of the State Committee or at some other place to be designated by the State Committee and organize by electing the officers required by Rule 6-8.
- Rule 6-13. The retiring State Chairman shall preside at the reorganization meeting until a temporary chairman is elected. The temporary chairman shall be elected from the membership of the State Committee and shall preside until a State Chairman is elected. In order to run for the office of State Chairman, a person must file a written declaration of candidacy at least seventy-two (72) hours prior to a caucus or reorganization. This document must be received by the Secretary of the State Committee prior to the seventy-two (72) hour deadline. In case of dispute over the filing, proof of delivery by person or certified mail must be presented. In the event no one files, nominations will be made from the floor and Robert's Rules of Order will be followed. When there are multiple candidates, the person with the lowest number of votes cast on the second ballot (and all

other ballots thereafter) shall be dropped until someone receives the majority of the votes cast.

- Rule 6-14. The State Committee officers shall be elected (with no proxies) by secret ballot in the following order: Chairman, Vice-Chairman, Secretary and Treasurer. The State Vice-Chairman must be of the opposite sex from the person elected to the office of State Chairman. The gender rule does not apply to the office of Secretary or Treasurer. The person who receives a majority of the votes cast shall be elected to that office. Should a midterm vacancy occur in the office of Chairman or Vice-Chairman, the gender rule does not apply; however, the gender rule is applicable for the election of Chairman and Vice-Chairman at the next organization meeting.
- Rule 6-15. Subject to Rule 6-11, the Chairman, Vice-Chairman, Secretary, and Treasurer of the State Committee serve for a term of four (4) years, beginning on the date of their election and ending on the date of the next succeeding organization of the State Committee. However, the term of any officer elected to fill any vacancy shall not extend beyond the next organization day of the State Committee.
- Rule 6-16. Except where expressly provided otherwise by these Rules, all members of any subcommittees or any other officials elected or appointed at any time by the State Committee serve at the pleasure of the Committee, but not beyond the next organization day of the State Committee.
- Rule 6-17. All meetings of the State Committee shall be held within Indiana. In addition to the State Committee's organization meeting required under Rule 6-11, the State Committee shall meet regularly in each calendar quarter of the year, at the time and place designated by the State Chairman.
- Rule 6-18. Other meetings of the State Committee shall be held upon call of the State Chairman, as needed, or upon the filing of a written request with the Secretary of the State Committee, signed by twelve (12) or more members of the State Committee, stating the purpose for the meeting. The time and place for requested meetings must be stated in the request, and must meet all notice requirements set forth in Rule 6-19.
- Rule 6-19. The Secretary of the State Committee shall give notice of the time, place, and purpose of all meetings of the State Committee, in writing, to each member at least ten (10) calendar days before any meeting. In the case of a requested meeting by twelve (12) or more members of the State Committee, notice may be given by any member of the State Committee designated in the request.
- Rule 6-20. Except for a meeting conducted pursuant to Rule 6-35, the State Chairman (or the chairman's designee) shall preside at any meeting of the State Committee.
- Rule 6-21. If a meeting is called under Rule 6-18 for the stated purpose of considering the removal of any officer of the State Committee, a motion under Rule 6-35(a) must be adopted by a majority vote of those present at that meeting to set a date, time, and

location for a subsequent meeting. At the subsequent meeting, a motion to remove the officer requires a vote by two-thirds (2/3) of the eligible members of the State Committee present to be adopted.

- Rule 6-22. The State Chairman shall personally attend the headquarters of the State Committee during all of the political campaigns occurring during the State Chairman's term. By and with the advice of the State Committee the State Chairman has supervision and management of these campaigns.
- Rule 6-23. The State Chairman shall carry into effect (or cause to be carried into effect) the views and orders of the State Committee, with all possible clarity and promptitude. The State Chairman shall perform the other duties prescribed in these Rules or the duties that may be assigned to the State Chairman by the State Committee.
- Rule 6-24. The State Chairman is vested with the discretionary powers necessary and essential to the proper and efficient discharge of the State Chairman's duties.
- Rule 6-25. The State Vice-Chairman shall preside at any meetings of the State Committee in the absence of the State Chairman, or when the State Vice-Chairman is acting as State Chairman. The State Vice-Chairman also shall perform the other duties as may be delegated to the State Vice-Chairman by the State Chairman.
- Rule 6-26. The Secretary of the State Committee shall keep proper records of the proceedings of the State Committee and the organization of the Party throughout the State, shall conduct or supervise all necessary correspondence, and perform the other duties assigned by the State Committee or the State Chairman, as may be conducive to the thorough organization and welfare of the Party. The State Secretary shall carefully preserve such records that may be useful for the future of the State Committee.
- Rule 6-27. The Treasurer of the State Committee shall have charge of the collection and custody of all money belonging to the State Committee; shall keep regular books and accounts; shall, at any time when so required to do so by the State Committee, make a full and complete report of the treasury; shall, whenever required to do so by the State Committee, submit all books and vouchers for inspection and examination; and comply in all respects with the law of this state and all federal laws. An outside audit shall be conducted bi-annually, or upon change of the Treasurer of the State Committee.
- Rule 6-28. In the case of disability of the State Chairman, or if a vacancy occurs in the office of State Chairman by reason of death, resignation, or removal, the duties of the State Chairman devolve upon the State Vice-Chairman. If there should be no State Vice-Chairman, then the duties devolve upon the State Secretary. If there is no State Vice-Chairman and no State Secretary, then the duties devolve upon the State Treasurer. The State Vice-Chairman, State Secretary, or State Treasurer, as the case may be, shall discharge the duties of State Chairman until the vacancy shall have been duly and regularly filled.

- Rule 6-29. Within ten (10) calendar days after the State Vice-Chairman, the State Secretary, or the State Treasurer shall have assumed the duties of the State Chairman, as provided for by Rule 6-28, the State Vice-Chairman, State Secretary, or State Treasurer, as the case may be, shall call a meeting of the State Committee, over his or her own signature, for the purpose of electing a State Chairman to fill the vacancy. The individual calling the meeting shall give to each member of the State Committee at least ten (10) calendar days notice of the meeting in writing, designating the time, including the day, date, hour and place where the meeting will be held.
- Rule 6-30. At the meeting called under Rule 6-29, the State Committee shall proceed to fill the vacancy by electing a State Chairman. The person so elected may be chosen from within or without the membership of the State Committee, and shall serve for the unexpired term of his or her predecessor. The officer who issued the call for the meeting shall preside until a State Chairman shall have been elected.
- Rule 6-31. If a vacancy shall occur in any offices or positions other than State Chairman by reason of death, resignation, or removal, a successor may be elected at any regular or called meeting following the vacancy. The person so elected shall serve during the unexpired term of his or her successor. The State Chairman may appoint an individual to serve as acting State Vice-Chairman, State Secretary, or State Treasurer following the occurrence of the vacancy. The acting officer serves until the election of an individual to the office under this Rule.
- Rule 6-32. The State Committee may, by following the procedures set forth in Rule 6-34, remove or otherwise discipline any member or officer of the precinct committee, county committee, district committee or state committee, for any willful violation of these Rules or a Resolution of the State Committee or a statute pertaining to elections. Upon conviction of a felony or gross misconduct affecting the party organization, the State Committee may, by following the procedures set forth in Rule 6-34, remove or otherwise discipline the member or officer.
- Rule 6-33 (a) Before the State Committee considers removal or discipline of a member or officer, a qualified Primary Republican (as defined in Rule 1-13) must file a statement with the Secretary of the State Committee setting forth the information serving as the basis for the charges.
- (b) The State Secretary shall forward a copy of the statement to the member or officer, together with notice of the time and place of the next meeting of the State Committee scheduled for at least forty-eight (48) hours after the statement is filed.
- (c) The State Committee may, by majority vote of those members present and voting, rule on the motion, dismiss the charges, schedule a hearing date for determination of the matter by the State Committee, or refer the matter to a Hearing Board.
- (d) If the State Committee refers the matter to a Hearing Board, the State Chairman shall designate the Chairman of the Hearing Board and appoint the members of the Hearing Board.

- (e) When a hearing is conducted before a Hearing Board, the individual who filed the charges must forward a copy of each relevant document to the Secretary of the State Committee for the State Secretary to distribute to the members of the Hearing Board.
- (f) The Chairman of the Hearing Board may permit oral testimony to be presented at the hearing. However, the Board Chairman shall ensure that any testimony presented to the Hearing Board is relevant, and within the scope of the allegations set forth in the statement. The Board Chairman shall exclude any oral or written testimony which is not relevant, or which is outside the scope of the allegations.
- (g) After the hearing, the Hearing Board shall submit its findings and recommendations to the State Committee. The decision of the State Committee on the matter is final, conclusive, and not subject to further appeal.
- Rule 6-34. (a) The State Committee may, on its own motion, adopted by a majority vote of its entire membership, assume original jurisdiction in any case affecting the interest of the Party, the right of any member or officer of the party organization, the right of any candidate for a nomination, or the right of any duly chosen nominee of the Party, or the right of any person to hold position in the party organization.
- (b) The State Committee may assume appellate jurisdiction in the event of the filing of a written petition by one of the interested parties. The petition shall state in plain language the nature of the cause, the relief sought, and the reasons for granting this relief. This petition shall be verified.
- (c) The State Committee may act in accordance with Rule 6-33 regarding a petition filed under this Rule.
- Rule 6-35. (a) At a meeting called under Rule 6-18, a member of the State Committee may make a motion to call a special meeting to consider the removal of one or more officers of the State Committee, who must be specifically identified in the motion. This motion, if seconded, must be taken under consideration immediately by the State Committee.
- (b) If the motion is adopted by the vote of a majority of those present, the State Committee shall convene at a later date, time, and location determined by the State Committee. The meeting must be conducted at least ten (10) days following notice to the challenged officer of the State Committee and no later than thirty (30) days after the motion is adopted under this Rule.
- Rule 6-36. If a meeting is conducted under Rule 6-35(b), the designee of the State Chairman shall preside at the meeting of the State Committee.
- Rule 6-37. Other than at the organization meeting of the State Committee, the removal of any officer of the State Committee shall require two-thirds (2/3) vote of all the members of the State Committee.
- Rule 6-38. The State Committee shall have immediate charge and full control of the political and financial affairs of the Party in Indiana; the management of its campaigns; the collection and distribution of documents; raise, manage, borrow, and distribute money as necessary to ensure the success of the Republican Party and the election of its

nominees. The State Committee shall adopt and pursue the honorable and vigorous measures deemed essential for the stability and growth of the Republican Party.

Rule 6-39. Any information, such as compilations of the names of registered voters, kept and available at State Headquarters, shall only be used for the political benefit of the Indiana Republican Party. The use of this information can only be requested or authorized by the State Chairman for any campaign in Indiana (or by the appropriate county chairman for legislative, county, township, city, or town races). The State Chairman shall decide questions concerning the use of this information if a dispute occurs. The State Chairman (or the Chairman's designee) shall keep a record of the authorization and distribution of this information.

Rule 6-40. The State Committee shall cause each precinct, township, ward, city, town, county, and congressional district in the state to be well and thoroughly organized for the purposes described in Rule 6-39.

Rule 6-41. When, for any reason, there is no Republican statewide candidate for an office to be filled at a general or special election and the vacancy occurs before the thirtieth (30th) day before the election, the vacancy shall be filled pursuant to Indiana law (Indiana Code 3-13-1-3) with the State Chairman, who shall preside at any State Committee meeting convened to fill the vacancy, to cast the deciding vote in case of a tie.

Rule 6-42. When, for any reason, there is no Republican candidate for a statewide office to be filled at a general or special election after the thirty-first (31st) day before the election, the vacancy shall be filled pursuant to Indiana law (Indiana Code 3-13-2-2) by the State Chairman.

CHAPTER 7: THE CITY COMMITTEE AND TOWNS OVER 3500

- Rule 7-1. The County Chairman has the authority to establish or dissolve a committee to manage the elections in any city within the County Chairman's jurisdiction. The structure and operation of these committees shall be established by the County Chairman for the most efficient operation of the election process.
- Rule 7-2. All candidate vacancies for city office shall be filled in accordance with Indiana Code 3-13-1 by:
 - (1) the members of the county organization (otherwise qualified precinct committeemen and vice-committeemen, when acting as properly designated proxies for committeemen) living within that jurisdiction; or
 - (2) the County Chairman or a caucus of the four County Committee officers if this authority has been delegated by the County Committee pursuant to IC 3-13-1-6.
- Rule 7-3. If a city crosses county lines, the jurisdiction for the operation of that city organization lies within the county with the most population within the city.
- Rule 7-4. Any vacancies in an office in a city shall be filled in accordance with Indiana Code 3-13-11 by the precinct committeemen within that jurisdiction, with the County Chairman entitled to call the caucus under IC 3-13-11 presiding.

<u>CHAPTER 8:</u> TOWN COMMITTEES AND TOWN ELECTIONS UNDER 3500

- Rule 8-1. The rules governing town committees and town elections do not apply to a town located wholly or partially in Marion County, or to a town which has adopted an ordinance under Indiana Code 3-8-5-2 to conduct a town primary.
- Rule 8-2. There may be a committee in each of the towns of this state, which shall be known as the Republican Town Central Committee of the Town of _______, Indiana. The name of each town committee is completed by designating the name of the town.
- Rule 8-3. The Town Committee shall be composed of precinct committeemen and vice-committeemen of each County Committee in which the town is located, representing precincts situated in whole or in part in the town, and the Town Committee's duly elected or appointed officers.
- Rule 8-4. (a) If the town will conduct the election by adopting a resolution under Indiana Code 3-10-7-5.5, the County Chairman shall ensure that the organization of the Town Committee shall be completed on or before July 15 of each year in which town elections are held and shall file a statement with the Secretary of the State Committee setting forth the name and address of the Town Chairman and Town Secretary.
- (b) The County Chairman shall file the statement described in subsection (a) no later than July 15 of each municipal election year. If the Secretary of the State Committee determines that the statement has not been filed by that date, the Secretary shall immediately notify the County Chairman. If the County Chairman does not file the statement on or before August 1, the Secretary of the State Committee shall notify the State Chairman that this statement has not been filed. See Indiana Code 3-8-5-3.
- (c) The Town Committee shall continue to function until the town election shall have been held and the result shall have been determined.
- Rule 8-5. The Town Committee shall organize by the appointment of a chairman and the chairman appointing the secretary in accordance with IC 3-8-5-3. A vice chairman, if any, shall be of opposite sex of the chairman, and a treasurer may be appointed if provided for by the Town Rules.
- Rule 8-6. Notwithstanding Rule 1-10, a quorum for the transaction of business shall be counted by any Town Committee whenever the members present represent a majority of the precincts or other political units entitled to membership on the Town Committee.
- Rule 8-7. In towns in which more than one (1) individual has filed for nomination as a Republican candidate to the same town office, the Town Chairman shall call a Republican Town Convention in accordance with IC 3-8-5-10 for the purpose of nominating Republican town candidates to be elected at the next municipal election.

Rule 8-8. The town convention must be held in accordance with IC 3-8-5-12 and before August 21 in the year in which a municipal election is held. The Town Secretary shall file a copy of the notice of the town convention with the Secretary of the State Committee no later than the deadline for posting notice of the town convention in accordance with state law.

- Rule 8-9. To be eligible to participate in the town convention, an individual must comply with both the following requirements:
- (1) The individual must be a registered voter of this town no later than twenty-nine (29) days before the date of the town convention according to the list of voters supplied by the county voter registration office. (IC 3-8-5-11(2)
- (2) The individual must sign a statement, under penalties of perjury, stating the following:
 - (a) The person is a member of the Republican Party and no other party;
 - (b) The individual:
 - (i) voted the Republican Party ballot at the 2010 Primary Election according to the records of the county voter registration office and supported a majority of the candidates nominated by the Republican Party in the 2010 General Election OR:
 - (ii) if the individual did not vote a Republican Party ballot in the 2010 Primary Election according to the records of the county voter registration office, that the individual intends to vote for a majority of the Republican Party's nominees in the 2011 municipal election.

CHAPTER 9: THE STATE CONVENTION

- Rule 9-1. Subject to the approval of the State Committee, the State Chairman and the Secretary of the State Committee shall procure a suitable and adequate place in Indiana for holding the State Convention, and shall make any and all necessary arrangements for holding the State Convention.
- Rule 9-2. As soon as the State Committee has fixed a date for the State Convention, the State Committee shall issue the Official Call of the State Convention in which the State Committee shall designate the date of the State Convention and shall set forth the number of delegates apportioned to each county in accordance with Indiana Code 3-8-4-3. The Official Call for the State Convention shall be signed by the State Chairman and attested by the Secretary of the State Committee.
- Rule 9-3. Delegates to the State Convention shall be chosen from each county. Each county is allotted one (1) delegate for every five hundred and fifty (550) votes cast in a county for the Republican Party's candidate for Secretary of State at the most recent election for that office. If there is a remainder of more than two hundred and seventy-five (275) votes, the county receives one (1) additional delegate.
- Rule 9-4. No later than 12:00 noon on the first Monday in November of the year preceding the year in which a State Convention is to be conducted, each County Chairman will submit to the State Chairman a statement indicating:
 - (a) whether the delegates are to be elected from districts or at large in each county; and
 - (b) if a county is to elect delegates from districts, how many districts are to be established in each county, and including descriptions setting forth the district boundaries?
- Rule 9-5. The State Chairman, no later than 12:00 noon, November 30, of the year preceding the year in which the state convention is to be held, shall certify the above information along with the number of delegates to be elected in each county, to the Indiana Election Division of the Secretary of State's office.
- Rule 9-6. Subject to review by the State Committee for reasonableness, the County Chairman may apportion the delegates among any districts, although there may be not more than twenty (20) delegates from any one (1) district.
- Rule 9-7. (a) No person shall be eligible for election at the primary election to the office of State Convention Delegate unless the individual:
 - (1) is a qualified elector of the precinct,
 - (2) is a member in good standing in the Republican Party, and

- (3) cast a Republican Party ballot at the individual's most recent vote at a primary election.
- (4) An individual who has not previously voted in a Primary election must have an authorization form signed by the county chairman and the candidate for state delegate saying the individual pledges full support to the Republican Party and the candidates of the Republican party. This form (IRSC/CA-1) must be attached to the CAN-37 when the candidate files his/her declaration with the county clerk. A copy of the form (IRSC/CA-1) must also be filed with the delegate form sent to the State Committee.

Rule 9-8. When:

- (1) no candidate for delegate files, or a candidate dies too late to place the name of another on the primary ballot, and results in leaving no person nominated for delegate, or reduces the number of persons nominated for delegate below the full representation to which the party is entitled, or
- (2) a delegate dies after having been elected and before the state convention; the County Chairman can appoint a delegate that meets the requirements of Rule 9-7.
- Rule 9-9. All State Convention delegates elected in the Primary Election and all appointments made under Rule 9-8 must be certified in writing on the appropriate forms prescribed by the State Committee to the Secretary of the State Committee by 5:00_p.m. (Indianapolis time) on Tuesday, two (2) weeks following the May Primary. The only exception is provided for in Rule 9-10.
- Rule 9-10. If a delegate previously certified in Rule 9-9 cannot serve for any of the following reasons: PERSONAL ILLNESS, JURY DUTY OR FAMILY EMERGENCY, an appointment may be made by the County Chairman one hundred twenty (120) hours prior to the convening of the convention. If a delegate dies within the one-hundred twenty (120) hours prior to the convening of the convention, an appointment may be made until 10:00 a.m. on the day preceding the convening of the State Convention. No telephone calls will be accepted for certification purposes. Electronic mail will be accepted only if filed on the prescribed form and is signed by the county chairman. A fax transmission or electronic mail transmission is considered received when a return confirmation is transmitted to the person sending the email or fax.
- Rule 9-11. The Secretary of the State Committee shall list the names of the appointed delegates on the official list used for official business at the State Convention. Any delegate appointed shall be bound by any instruction which may have been given to the legally elected delegates from the county or district.
- Rule 9-12. If two (2) or more candidates for delegates to the State Convention, whose votes were certified by the County Election Board, receive an equal and highest number of votes cast for that office, the tie shall be decided by the County Chairman.

Rule 9-13. The State Secretary shall compare the lists of elected delegates submitted under Rule 9-9 with the certified list of delegates submitted by the Secretary of State under IC 3-8-7-6.5. If any discrepancy between the lists cannot be resolved, the State Secretary shall refer the matter to the Committee on Credentials.

Rule 9-14. The officers of each Congressional District shall appoint one delegate from their district to serve on the Committee on Credentials. This appointment must be made by Tuesday two weeks following the Primary Election, (i.e. for 2014, May 20). If no delegate is appointed by Tuesday, two weeks following the Primary Election, (i.e. for 2014, May 20), the State Chairman shall appoint a delegate from the district to serve. The State Chairman shall appoint the Chairman of the Committee on Credentials. The officers of each Congressional District shall also appoint one (1) delegate from their district to serve an Honorary Vice-Chairman of the State Convention and one (1) delegate from their district to serve as Honorary Assistant Secretary of the State Convention.

New Rule 9-15. The Committee on Credentials shall convene not more than ten (10) days and not less than eight (8) hours before the District Caucuses of the State Convention are called to order, at the specific time and place with that range designated by the State Chairman and included in the Official Call. The Committee on Credentials shall proceed to rule on any discrepancy in the list of delegates referred to the Committee on Credentials by the State Secretary under Rule 13.

Rule 9-16. The Committee on Credentials shall determine any challenge to the credentials of an individual listed as a delegate to the State Convention. A challenge must take the form of a sworn affidavit filed with the Secretary of the State Committee by the County Chairman, or an officer of the County Party, or a Republican voter in good standing of the delegate district. The challenge must set forth the reasons why the delegate is not qualified to serve in that office, citing the specific rule or statute with which the delegate has not complied.

Rule 9-17. A challenge to a delegate elected at the primary election or appointed as a delegate must be filed at least ten (12) days before the District Caucuses of the State Convention are scheduled to convene. The State Secretary shall promptly forward a copy of the challenge to the delegate and the County Chairman of the county in which the delegate resides in the manner that the State Secretary determines will provide the best possible notice to the delegate and County Chairman.

Rule 9-18. The Committee on Credentials shall hear each challenge in the order in which the challenge was filed with the State Secretary. The Committee on Credentials shall deny the challenge if the challenge does not comply with Rule 9-16, or was not timely filed under Rule 9-17.

Rule 9-19. After hearing a challenge, the Committee on Credentials shall deny the challenge unless the individual filing the challenge presents clear and convincing evidence that the delegate is not qualified to serve in that office.

Rule 9-20. If the Committee on Credentials upholds the challenge, the Committee on Credentials shall issue a report to the State Party Secretary. The State Party Secretary shall notify the County Chairman of the vacancy. The Committee on Credentials reports to the State Convention regarding delegate and candidate eligibility disputes.

Rule 9-21. The State Committee sets an assessment fee for each delegate. This fee is used to offset the cost of the convention. The payment of the fee or non-payment of the fee by a County shall be included in the report of the State Convention.

Rule 9-22. The total number of delegates allocated to the county is based on Rule 9-3. Delegates shall have two options for paying the assessment fee established by the State Committee pursuant to Rule 21. A delegate may either (i) go to the website of the Indiana Republican Party and pay using a credit card or (ii) deliver a check to the delegate's county party made out to the Indiana Republican Party. The Secretary of the State Committee shall provide reports to each county party of delegates who pay by credit card. Delegates must pay their assessment fee using one of the two methods above within seven (7) days following a Primary Election in which delegates are elected. County parties must submit all assessment fees which they collect to the State Committee within fourteen (14) days following the Primary Election together with a list of all elected and appointed delegates from such county. If an elected or appointed delegate has not paid his or her assessment fee as specified above, the County Chairman may replace the elected or appointed delegate by submitting the newly appointed person on the special appointment form and the person removed on the special removal form to the Secretary of the State Committee together with such delegate's assessment fee no later than fourteen (14) days before the district caucuses convene. Only those delegates for whom a delegate assessment fee has been paid may participate in the convention process.

Rule 9-23. The delegates from the several counties and delegate districts of the state, when duly assembled, constitute the Republican Party of the State of Indiana in State Convention.

Rule 9-24. Unless otherwise determined by the State Committee as set forth below, preliminary meetings of the delegates to the State Convention shall be held by Congressional Districts, with the District Chairman or the District Chairman's designee presiding. District Caucuses shall be held not more than twenty-four (24) hours before the convening of the State Convention at the places and the rooms provided and designated by the State Committee. Notwithstanding the foregoing, in years in which there is not a presidential election to be held, the State Committee may elect to forego District Caucuses. If the State Committee makes the election to not hold District Caucuses, District officers will nominate individuals for the positions otherwise selected at District

Caucuses at least seven (7) days prior to the start of the State Convention and individuals so nominated will be voted on as a slate at the start of the State Convention. Additionally if no District Caucus is held in a given year, all references to timing based on the start of the District Caucus should be read instead to be based upon the start of the State Convention. Only District Officers, Delegates for the District, County Chairmen from the District and State Committee staff or credentialed appointees may enter the District Caucuses.

Rule 9-25. The District Secretary serves as District Caucus Secretary and shall report the results of the election to the Secretary of the State Committee immediately following the adjournment of the caucus. The State Chairman will appoint the Chairman for each of the following Committees: the Committee on Credentials, the Committee on Resolutions and the Committee on Permanent Organization, Rules and Order of Business.

The following offices shall be elected in each Congressional District (by caucus or appointment of the four district officers, if no caucuses are held.

- (1) One (1) member of the Committee on Permanent Organization, Rules, and Order of Business
- (2) One (1) member of the Committee on Resolutions

Rule 9-26. The Committee on Permanent Organization, Rules, and Order of Business reviews all rules pertaining to the convention and presents the slate of officers to the convention.

Rule 9-27. The Committee on Resolutions reports to the convention regarding the adoption of the platform and other resolutions pending before the convention.

Rule 9-28. The Vice-Chairman of the State Convention and Assistant Secretary of the State Convention are honorary positions conferred in recognition of distinguished service to the Party by the individual selected.

Rule 9-29. In every year in which a presidential election is to be held, each congressional district caucus shall also elect three (3) district delegates and three (3) corresponding alternate district delegates to the Republican National Convention. The corresponding alternate delegate moves to the position of delegate, if for some reason the elected district delegate is unable to serve, the corresponding alternate delegate elected in the district caucus moves to the corresponding position of delegate. The new corresponding alternate for that delegate position would then be appointed by the District Chairman. The district caucus would also elect one (1) presidential elector and one (1) alternate elector. Should the elected elector be unable to serve, the corresponding alternate elector would move to the position of elector and the District Chairman would appoint an alternate to fill the vacancy.

(a) The District Congressional Committee shall present to its respective congressional district caucus recommendations for district delegates and corresponding alternate

district delegates to the Republican National Convention. Following the presentation of the District Delegate and Alternate District Delegate Report, an undebatable and unamendable motion to accept the report and elect the individuals named in the report shall be in order. If the motion is defeated, nominations from the floor for district delegate and alternate district delegate shall be in order.

- (b) The District Congressional Committee shall present to its respective congressional district caucus recommendations for presidential elector and alternate elector. Following the presentation of the Presidential Elector and Alternate Elector Report, an undebatable and unamendable motion to accept the report and elect the individuals named in the report shall be in order. If the motion is defeated, nominations from the floor for presidential elector and alternate elector shall be in order.
- Rule 9-30. In a year in which a presidential election is to be held, the State Convention delegates in general session shall elect the number of delegates-at-large and their corresponding alternate delegates-at-large to the Republican National Convention determined by the Rules of the Republican National Committee, and shall also elect two (2) presidential electors-at-large along with their corresponding two (2) alternate presidential electors-at-large. The persons elected for national convention delegates or corresponding alternate delegates or presidential electors or alternate electors shall be a true, discreet representative Republican, and in good standing in the Party. Should the elected at-large-delegate or at-large-elector be unable to serve, the corresponding alternate moves to the delegate or elector position and an appointment to fill the vacated alternate position would be filled by the State Chairman.
 - (a) The Indiana Republican State Committee shall present to the general session recommendations for delegates at-large and corresponding alternate delegates atlarge to the Republican National Convention. Following the presentation of the Delegate and Alternate Delegate Report, an undebatable and unamendable motion to accept the report and elect the individuals named in the report shall be in order. If the motion is defeated, nominations from the floor for delegate and alternate delegate shall be in order.
 - (b) The Indiana Republican State Committee shall present to the general session recommendations for presidential electors at-large and alternate presidential electors at-large. Following the presentation of the Presidential Electors At-Large and Alternate Presidential Electors At-Large Report, an undebatable and unamendable motion to accept the report and elect the individuals named in the report shall be in order. If the motion is defeated, nominations from the floor for presidential elector at-large and alternate elector at-large shall be in order.
- Rule 9-31. Admission to the State Convention shall be by ticket, which shall be issued to the delegates, news media, and guests invited by the State Committee. These tickets shall be signed by the State Chairman and attested to by the State Secretary.

- Rule 9-32. At the hour named in the call for the meeting of the State Convention, the State Chairman shall call the convention to order. The State Chairman shall, unless otherwise directed by the State Committee, preside over the convention until a permanent organization of the convention shall have been effected.
- Rule 9-33. The State Committee shall nominate a permanent chairman and a permanent secretary to the convention.
- Rule 9-34. The State Convention shall organize by the election of the permanent chairman and permanent secretary, and shall likewise certify the election of one (1) vice-chairman, one (1) assistant secretary, and one (1) member from both of the following committees:
 - (1) Credentials and
 - (2) Permanent Organization, Rules, and Order of Business elected from each of the congressional districts.
- Rule 9-35. The State Convention shall nominate candidates for the offices listed in Indiana Code 3-8-4-2 that are to be elected at the next general election. Each candidate for nomination or election at the State Convention shall file a Declaration of Candidacy with the Secretary of the State Committee not later than fourteen (14) days (at 5:00 p.m. Indianapolis time) prior to the convening of the State Convention. Each candidate is required to pay an amount equal to ten (10) percent of the salary of the office sought as a filing fee for participation in the State Convention. These fees are to be paid at the time the Declaration of Candidacy is filed. Checks are to be made payable to the Indiana Republican State Committee. Upon payment of the filing fee, the current list of delegates on file with the State Committee will be given to the candidate.
- Rule 9-36. (a) A candidate at a State Convention may not withdraw as a candidate later than one (1) week prior to the day and time set out in the official call as the starting time of the State Convention.
- (b) The State Committee shall refund seventy-five (75) percent of a candidate's filing fee in the event the candidate withdraws before the one (1) week deadline preceding the convening of the State Convention.
- (c) No refunds will be given if a candidate withdraws within the one (1) week period prior to the convening of the State Convention.
- (d) The State Committee shall retain twenty-five (25) percent of the difference in the filing fee if a candidate drops down to an office requiring a lower filing fee.
- Rule 9-37. The candidate receiving a majority of votes cast by those delegates present and voting shall be declared nominated or elected whichever the case may be.
- Rule 9-38. In any State Convention, after the second ballot has been taken for any office and no candidate has received a majority of the votes cast by those present and voting at the State Convention, the candidate having the lowest vote for the office, commencing with the third ballot and every ballot thereafter, shall be eliminated until some candidate

receives a majority of the votes cast by those present and voting at the convention for the office.

Rule 9-39. The party platform will be formulated by a series of public hearings prior to the State Convention, in which testimony will be heard. The platform will be available to the delegates for promulgation. On motion duly passed by oral vote of the convention, the reading of the platform in full will be dispensed with and the platform shall stand thereafter for passage.

Rule 9-40. *Robert's Rules of Order*, latest revised edition, shall govern the deliberations of the State Convention, unless otherwise provided in these rules.

Rule 9-41. No nomination speech shall exceed two (2) minutes, and shall state the name of the candidate, the office to which the candidate aspires, and the county from which the candidate is presented. No speech will be given by the person making the second to the motion.

Rule 9-42. No candidate shall be permitted within the roped off area reserved for delegates on the floor of the State Convention before the announcement that a candidate has received the nomination for the office for which the individual is a candidate.

Rule 9-43. A candidate for nomination at the State Convention may not receive space in the offices of the State Committee, State Committee employee support, or access to State Committee postage equipment before the candidate pays the candidate's assessment, unless otherwise agreed to by the State Committee.

Rule 9-44. Any resolution may be presented on the floor of the State Convention, and shall be referred to the Committee on Resolutions, without reading and without debate.

Rule 9-45. All matters pertaining to the holding of the State Convention not provided by law shall be controlled by these rules and by the rules adopted by the State Convention.

Rule 9-46. The rules governing the State Convention may be suspended or amended by a majority of those delegates present and voting at the State Convention.

Rule 9-47. Notwithstanding Rule 1-3, an amendment to these rules concerning the State Convention may not take effect during the State Convention or during the ninety (90) days before the convening of the State Convention without the unanimous vote of the State Committee.

Rule 9-48. The term of an elected delegate to the State Convention begins when the appropriate county election board declares under Indiana Code 3-12-4-9(a) that the individual has been elected State Convention delegate for the Republican Party, and ends when the next State Convention following the delegate's election adjourns sine die. In accordance with Indiana Code 3-6-1-15, an elected State Convention delegate does not

retain the office following the end of the delegate's term. Instead, the office becomes vacant at the end of the term.

Rule 9-49. The term of an appointed State Convention delegate begins when the appointment form is file stamped in the office of the State Committee Secretary under these rules, and ends when the next State Convention following the delegate's appointment adjourns sine die. In accordance with Indiana Code 3-6-1-15, an appointed State Convention delegate does not retain the office following the end of the delegate's term. The office becomes vacant when the Convention adjourns sine die.

CHAPTER 10: NATIONAL OFFICERS AND DELEGATES

- Rule 10-1. Immediately following the adjournment of the State Convention, the State Chairman shall call a meeting of the newly elected delegates to the National Convention at a place and time established by the State Committee for organization purposes to elect the following:
 - (1) A delegation chairman.
 - (2) Two (2) members of the Committee on Resolutions.
 - (3) Two (2) members of the Credentials Committee.
 - (4) Two (2) members of the Rules and Order of Business Committee.
 - (5) Two (2) members of the Permanent Organization Committee.
- Rule 10-2. The two (2) members elected to serve on each committee referenced in Rule 10-1 must consist of one (1) man and one (1) woman. No delegate may serve on more than one (1) committee of the convention. Alternate delegates may not serve as delegation chairman or members of the convention committees.
- Rule 10-3. At a time not exceeding forty-eight (48) hours prior to the holding of the State Convention and before the time for holding the National Convention, the State Chairman shall call a meeting of the State Committee, upon not less than ten (10) days notice, for the purpose of electing a National Committeeman and a National Committeewoman. No proxies are permitted to vote in this election.
- Rule 10-4. In order to run for the office of National Committeeman or National Committeewoman every four (4) years or to fill a vacancy in mid-term, a person must file a written declaration of candidacy with the Secretary of the Indiana Republican Party at least seventy-two (72) hours prior to the time set for the meeting where the election is to take place. In the event no one files for the office of National Committeeman or National Committeewoman, nominations will be made from the floor and Robert's Rules of Order will be followed. A person must receive a majority vote (greater than 50%) of those present and voting to be elected.
- Rule 10-5. The National Committeeman and National Committeewoman each serve for a term of four (4) years beginning immediately after the close of the following Republican National Convention. The National Committeeman and National Committeewoman serving at the time of the State Convention shall hold office and carry on their duties until the conclusion of the National Convention, when their term of office shall expire.

CHAPTER 11: AUXILIARY ORGANIZATIONS

- Rule 11-1. The work of an auxiliary organization shall be conducted under the direction of the State Committee, in conjunction with the by-laws of the auxiliary.
- Rule 11-2. An auxiliary organization (whether designated as a club, council, society, or by some other name) shall be kept up and maintained continuously from year to year. However, no auxiliary organization, excepting only district, county, city, town, and precinct committees organized under these rules, is an official or authoritative organization of the Republican Party, until and unless the auxiliary organization has been approved as to its form and method and submits in writing to the State Committee a statement of its form and methods, together with any other information required by the State Committee.
- Rule 11-3. Any auxiliary organization failing to receive approval of the State Committee is unofficial and unauthorized to function in the name of the Republican Party in Indiana.

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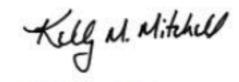
Welcome

I appreciate your visit to the Treasurer of State's website. It is my great honor to serve as the State Treasurer to Indiana.

My most important task is to wisely invest the state's funds in order to maximize the interest earned and minimize the risk. In doing this, we help to keep our taxes low and make Indiana a better place to grow a business and raise a family.

If the information you seek is not available on-line, we welcome your calls and questions.

Sincerely,



Kelly M. Mitchell, Indiana State Treasurer



IN THE NAME AND BY THE AUTHORITY OF THE STATE OF IOWA

CERTIFICATE OF VOTE OF ELECTORS FOR THE STATE OF IOWA

We, the undersigned, the duly elected Electors for the State of Iowa for President and Vice President of the United States, meeting at the State Capitol in the City of Des Moines, Iowa, on this 19th day of December, 2016, in accordance with law, do hereby certify that on this date we have given our votes for President and Vice President of the United States for the term commencing January 20, 2017, and that all of the votes given by us for the said offices are as follows:

FOR PRESIDENT OF THE UNITED STATES

Donald J. Trump

6 Votes

FOR VICE PRESIDENT OF THE UNITED STATES

Michael R. Pence

6 Votes

IN WITNESS WHEREOF, we hereunto set our hands and affixed our signatures this 19th day of December 2016, in Des Moines, Iowa.



James Whitmer

Dylan Keller

Alan Braur

Don Kass

Kurt Brown

Polly Granzow



IN THE NAME AND BY THE AUTHORITY OF THE STATE OF IOWA

CERTIFICATE OF ASCERTAINMENT

The following slate of presidential electors for the Republican Party were declared by the Iowa State Canvassing Board to be elected at the General Election on December 5, 2016.

Republican Party

James Whitmer Dylan Keller Alan Braun Don Kass Kurt Brown

Polly Granzow

Votes Received 800,983

In addition, the remaining slates of electors received the following number of votes:

Democratic Party

Carrie Tedore Nicholas Kruse Jack Schuler Randal Black Danny Homan Joan Peck Votes Received

653,669

Constitution Party

Logan William Riley Edward T. Hee III Stephen B. Boesen II Chris Krause Marvin Creech Thomas G. Welsh **Votes Received**

5,335

Iowa Green Party

Wendy Barth
Holly Hart
David Courard-Hauri
David Grimesy
Dawn Jones
Theodore Pfeiff

Votes Received

11,479

Legal Marijuana Now

Dustin Wallace
Juan Blackburn
Charles Henry McConkey III
Sharletha Wiggins
Scott Henry
Jason Brogden

Votes Received

2,246

Libertarian Party

Ben Cashner

Votes Received

59,186

Ashley Byrd Tim Hird Lynne Gentry Mark Andersen Joshua Herbert

New Independent Party Iowa

Sarah Ordover Lena Galley Ariana Den Hartog Jim Hennager Ben Kollasch Brandy Ray

Votes Received

2,247

Party for Socialism and Liberation

Marlon Pierre-Antoine Jeannette Gabriel Sam Aldrich Jason Boyles Nicholas Ridler John Logsdon

Votes Received

Nominated by Petition

Shelia Anderson Derrick Roberson Ryan Saenz **Tony Davis** LeRoy Mitchell Raymond Hardy

Votes Received

451

Nominated by Petition

Jason Michael Steffens April Cline-Jones Dylan Lucas Jones Courtney Ann Lorenz Katherine Jane Jones Christopher Steven Lorenz **Votes Received**

12,366



IN TESTIMONY WHEREOF, I have hereunto subscribed my name and caused the Great Seal of Iowa to be affixed. Done at Des Moines this 12th day of December in the year of our Lord two thousand sixteen.

TERRY E. BRANSTAD

GOVERNOR

ATTEST:

SECRETARY OF STATE

PAUL D. PATE



PLYMOUTH COUNTY IOWA

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From the Left to the Right

(Craig Anderson, Don Kass, Jim Henrich, Stacey Feldman Auditor, John Meis, Mark Loutsch)

Term is four years; bond no less than \$100,000.

The board of supervisors consists of five members, serving four years each.

The board of supervisors is the legislative body of the county.

The following are some of their more important duties and powers:

Approve bonds of county officials.

Establish and vacate public highways.

Levy taxes to raise revenue for county purposes.

Allow claims against the county and order same to be paid.

Fill vacancies in county offices, except of its own body.

Board of Supervisors

John Meis

Dist 1 546-9216 716 4th Ave SE Le Mars, IA 51031

Mark Loutsch

Dist 2 786-1439 15424 Pioneer Ave Le Mars, IA 51031

Don Kass

Dist 3 786-2191 48138 190th St Remsen, IA 51050

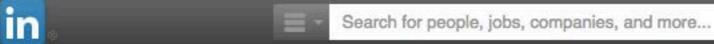
Craig Anderson

Dist 4 938-2493 24999 Jade Ave Merrill, IA 51038

Jim Henrich

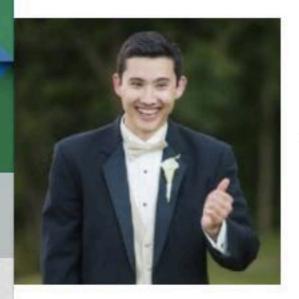
Dist 5 568-2902 440 Reed St Akron, IA 51001





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Dylan C. Keller, M.A.

Executive Secretary to Iowa Senate Majority Leader

Des Moines, Iowa | Government Administration

Current Executive Secretary to Iowa Senate Majority Leader

Previous Republican Party of Iowa, Republican Party of Iowa - Senate

Majority Fund, John Deere Tractor & Engine Museum

Education University of Northern Iowa

Send Dylan C. InMall 🔻

307 connections

Q

3rd

https://www.linkedin.com/in/dckeller10

Background



Experience

Executive Secretary to Senate Majority Leader

Executive Secretary to Iowa Senate Majority Leader 2016 – Present (1 year) | Des Moines, Iowa Area

Presidential Elector

Republican Party of Iowa





State of Kansas

2016 General Election

Presidential Electoral College Certificate of Vote

We, the undersigned, electors of President and Vice President of the United States of America for the respective terms beginning on the twentieth day of January, A.D. two thousand and seventeen, being electors duly and legally appointed and qualified by and for the State of Kansas, as appears by the annexed certificate made and delivered to us by the Executive of the said State, having met and convened, agreeably to the provisions of law, at Topeka in said State of Kansas on the first Monday after the second Wednesday of December of the year two thousand sixteen, being the nineteenth of said month,

DO HEREBY CERTIFY, That being so assembled and duly organized, we proceeded to vote by ballot, and balloted first for President and then for Vice President by distinct ballots;

AND WE FURTHER CERTIFY, That the following are two distinct lists, one of the votes for President and the other of the votes for Vice President, so cast as aforesaid:

LIST OF ALL PERSONS VOTED UPON FOR PRESIDENT

Names of Persons Voted for:	Number of Votes
DONALD J. TRUMP	Six
LIST OF ALL PERSONS VOTED U	DON FOR VICE PRECIDENT
LIST OF ALL LERSONS VOTED O	PUN FUR VICE PRESIDENT
Names of Persons Voted for:	Number of Votes

IN TESTIMONY WHEREOF, We have hereunto set our hands, on the first Monday after the second Wednesday of December, A.D. two thousand sixteen, being the ninteent day of said month;

Kelly Arnold

Ron Este

Mark Kahrs

Clayton L. Barker

Ashley McMillan Hutchinson

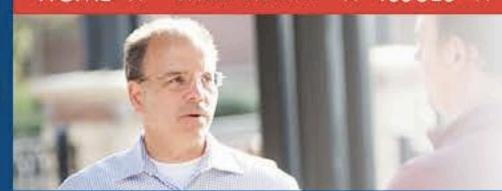
Helen Van Etten



"I believe in a citizen legislature and will work hard to be true to the conservative values that made Kansas a great state and Wichita a great place to raise a family."

~ Mark Kahrs





* Pro-Jobs

★ Pro-Education

★ Pro-Business

★ Pro-Family



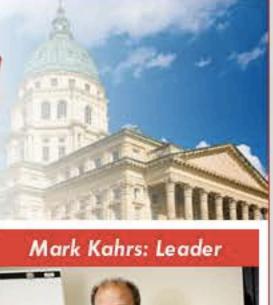
Rep. Mark Kahrs to Leave Kansas House of Representatives

Wichita – Today, State Representative Mark Kahrs (R-Wichita) announced his retirement from the legislature when his term ends in January 2017.

"Today, I am announcing my decision to leave the Kansas House of Representatives at the end of my current term. It has been a pleasure to serve the constituents of the 87th House district for the past four years and I remain humbled they chose me as their Representative in Topeka." Read more...

Kansas GOP picks lawmaker for spot on national committee

OVERLAND PARK, Kan. (AP) — Kansas Republicans have elected a state legislator from Wichita to fill one of the state's three seats on the GOP National Committee. Kahrs will replace former congressman Todd Tiahrt. The ex-congressman was elected to fill a vacancy in 2011 and















CERTIFICATE OF VOTE FOR PRESIDENT AND FOR VICE PRESIDENT

In accordance with the Twelfth (12th) Amendment to the United States Constitution, and

with Sections 7-11 of Title III of the United States Code, we, the undersigned, having been duly

elected to the office of Presidential and Vice Presidential Electors for the Republican Party in

the Commonwealth of Kentucky in the election held on November 8, 2016, do hereby certify that

we, the undersigned Electors, convened in the Supreme Court courtroom of the State Capitol

Building, Frankfort, Kentucky, at 11:45 A.M., E.S.T. on Monday, December 19, 2016, and cast

our vote as Electors for the President of the United States and for the Vice President of the

United States, said votes being recorded and attached hereto, pursuant to Section 9 of Article III

of the United States Code, and we, the undersigned Electors, pursuant to Section 10 of Article

III of the United States Code, do hereby certify that the lists of all the votes given for President

and of all the votes given for Vice President are contained therein.

ELECTORS FOR THE REPUBLICAN PARTY IN THE COMMONWEALTH OF KENTUCKY

ROBERT M. DUNCAN

Inez, KY

State-At-Large

JIM SKAGGS

Bowling Green, KY State-At-Large

Centra Mo Tompkinsville, KY **First District**

SCOTT J. LASLEY Bowling Green, KY **Second District**

WALTER S. REICHERT, SR. Louisville, KY **Third District**

> TROY M. SHELDON Alexandria, KY **Fourth District**

Stearns, KY

Fifth District

DAVE DISPONETT Lawrenceburg, KY **Sixth District**



I, Alison Lundergan Grimes, Secretary of State of the Commonwealth of Kentucky, do hereby certify that the duly elected Electors for the Republican party in Kentucky, Robert M. Duncan, Jim Skaggs, Dr. Michael Carter, Scott J. Lasley, Walter S. Reichert, Sr., Troy M. Sheldon, Mary D. Singleton and Dave Disponett, did convene at 11:45 A.M., E.S.T. on the 19th day of December, 2016, and at or after 12 noon cast their votes, as recorded above, for the President of the United States, said Ballot for President being recorded in the office of the Secretary of State of the Commonwealth of Kentucky, Frankfort, Kentucky, in accordance with Section II of Title III of the United States Code.

Given under my hand and seal of the Commonwealth of Kentucky at Frankfort, Kentucky, this 19th day of December, 2016.



ALISON LUNDERGAN GRIMES
Secretary of State
Chair, State Board of Elections

BALLOT FOR PRESIDENT

In accordance with the Twelfth (12th) Amendment to the United States Constitution, with Sections 7-11 of Title III of the United States Code, and pursuant to Kentucky Revised Statutes 118.435 and 118.445, we, the undersigned, having been duly elected to the office of Presidential and Vice Presidential Electors for the Republican Party in the Commonwealth of Kentucky in the election held on November 8, 2016, do hereby certify that we, the undersigned Electors, convened in the Supreme Court courtroom of the State Capitol Building, Frankfort, Kentucky, at 11:45 A.M., E.S.T., on Monday, December 19, 2016, and at or after 12 noon cast our vote as Electors for the President of the United States, said being recorded below, to wit:

FOR PRESIDENT

ELECTORS

DONALD J. TRUMP

ROBERT M. DUNCAN Inez, KY State-At-Large

DONALD J. TRUMP X

JIM SKAGGS
Bowling Green, KY
State-At-Large

FOR PRESIDENT

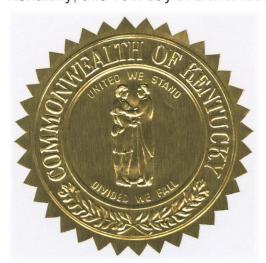
ELECTORS

DONALD J. TRUMP	MICHAEL CARTER Tompkinsville,KY First District
DONALD J. TRUMP	SCOTT J. LASLEY Bowling Green, KY Second District
DONALD J. TRUMP	WALTER S. REICHERT, SR. Louisville, KY Third District
DONALD J. TRUMP	TROY M. SHELDON Alexandria, KY Fourth District
DONALD J. TRUMP	MARY D. SINGLETON Stearns, KY Fifth District
DONALD J. TRUMP	DAVE DISPONETT Lawrenceburg, KY Sixth District



I, Alison Lundergan Grimes, Secretary of State of the Commonwealth of Kentucky, do hereby certify that the duly elected Electors for the Republican party in Kentucky, Robert M. Duncan, Jim Skaggs, Dr. Michael Carter, Scott J. Lasley, Walter S. Reichert, Sr., Troy M. Sheldon, Mary D. Singleton, and Dave Disponett, did convene at 11:45 A.M., E.S.T. on the 19th day of December, 2016, and at or after 12 noon cast their votes, as recorded above, for the Vice President of the United States, said Ballot for Vice President being recorded in the office of the Secretary of State of the Commonwealth of Kentucky, Frankfort, Kentucky, in accordance with Section II of Title III of the United States Code.

Given under my hand and seal of the Commonwealth of Kentucky at Frankfort, Kentucky, this 19th day of December, 2016.



ALISON LUNDERGAN GRIMES
Secretary of State
Chair, State Board of Elections

BALLOT FOR VICE PRESIDENT

In accordance with the Twelfth (12th) Amendment to the United States

Constitution, with Sections 7-11 of Title III of the United States Code, and pursuant

to Kentucky Revised Statutes 118.435 and 118.445, we, the undersigned, having

been duly elected to the office of Presidential and Vice Presidential Electors for the

Republican Party in the Commonwealth of Kentucky in the election held on

November 8, 2016, do hereby certify that we, the undersigned Electors, convened

in the Supreme Court courtroom of the State Capitol Building, Frankfort, Kentucky,

at 11:45 A.M., E.S.T., on Monday, December 19, 2016, and at or after 12 noon

cast our vote as Electors for the Vice President of the United States, said being

recorded below, to wit:

FOR VICE PRESIDENT

ELECTORS

MICHAEL R. PENCE

ROBERT M. DUNCAN Inez, KY

State-At-Large

MICHAEL R. PENCE X

JIM SKAGGS

Bowling Green, KY

State-At-Large

FOR VICE PRESIDENT

ELECTORS

MICHAEL R. PENCE	MICHAEL CARTER Tompkinsville, KY First District
MICHAEL R. PENCE	SCOTT J. LASLEY Bowling Green, KY Second District
MICHAEL R. PENCE	WALTER S. REICHERT, SR. Louisville, KY Third District
MICHAEL R. PENCE	TROY M. SHELDON Alexandria, KY Fourth District
MICHAEL R. PENCE	MARY D. SINGLETON Stearns, KY Fifth District
MICHAEL R. PENCE	DAVE DISPONETT Lawrenceburg, KY Sixth District



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Department of Political Science Faculty - Scott Lasley

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Dr. Scott Lasley

Professor

Office: Grise Hall - 317 Phone: 270-745-2799

Email: scott.lasley@wku.edu

Biography

Ph.D., University of Iowa: American Politics, Legislative Politics, and Research Methods.

Research Focus: Elections and Sports and Politics.

Currently serving as the campus coordinator for the Kentucky Legislative Research

Commission Internship Program.

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Kentucky family hears inaugural call

By Bill Nichols, USA TODAY

LAWRENCEBURG, Ky. — When Franklin Roosevelt was sworn in as president for the third time in 1941 under the shadow of a potential world war, the program read: "Inaugurals take their drama from the temper of the times."

Dave Disponett, a builder and passionate Republican activist in this traditionally Democratic city of just under 10,000, agrees.

On Thursday, when President Bush takes the oath of office for a second term, Disponett, 69, will attend his sixth inauguration with his wife, daughter, son-in-law and 10-year-old granddaughter — who is on inauguration No. 2.

The Disponett clan, like thousands of other visitors who are descending on Washington, are bracing for a very different inauguration this year. "I imagine there are going to be lines everywhere, but what can you do?" Disponett says. It is the nation's first since the Sept. 11 attacks, and extraordinary security precautions are in place.

But as demonstrated by the treasure trove of inaugural memories and memorabilia — ball tickets, programs and photographs — that Disponett has saved, this mix of pageantry and politics always manages, for good or bad, to reflect the mood of the nation. Spectators seem to come for a party but end up with a little piece of time.

In 1969, Disponett watched friends climb a light pole on a Washington street to avoid Vietnam protesters who had thronged to the Richard Nixon's inauguration. The trip marked Disponett's first time on an airplane; he was 32.

Twelve years later, he was moved to tears as crowds listened to transistor radios to hear news of the release of the U.S. hostages in Iran as Ronald Reagan was sworn in 1981.

"That was the most exciting day of my life," Disponett remembers. His daughter Lois Ann, 47, who attended her first inauguration at the age of 10, says the experiences she had were almost impossible to explain to her schoolmates back in Lawrenceburg. "Most people couldn't grasp it," she says of the celebrities and dazzling gowns. "It was just a world totally beyond their comprehension." She was, she says, like a real-life Cinderella.

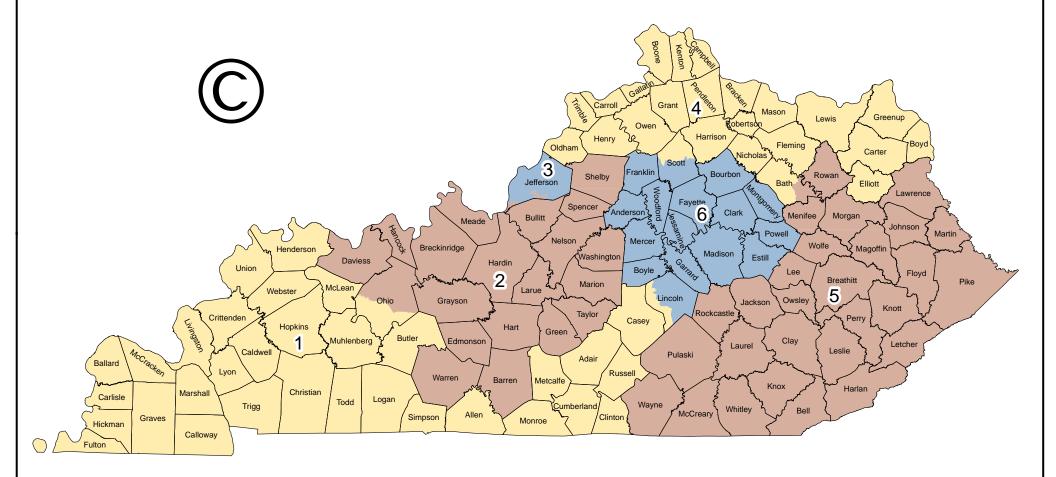


Jim Skaggs, a longtime Republican official in Kentucky, said the state's party establishment was skeptical initially about holding a presidential caucus for the first time, but eventually acquiesced.

Joe Buglewicz for The New York Times

Kentucky Congressional Districts

Congressional Plan (CH001A09) became law (KRS 118B.110 - 118B.160) January 31, 2002, with enactment of House Bill 1.



District 1 - Rep. Ed Whitfield (R)

District 2 - Rep. Brett Guthrie (R)

District 3 - Rep. John Yarmuth (D)

District 4 - Rep. Geoff Davis (R)

District 5 - Rep. Harold Rogers (R)

District 6 - Rep. Ben Chandler (D)



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NEWS / POLITICS

10 Things You Didn't Know About Mike Duncan

By Bobbie Kyle Sauer | Staff Writer July 23, 2008, at 12:51 p.m.

- 1. Although Robert Michael "Mike" Duncan has called Inez, Ky., his home for over 30 years, he was born in Oneida, Tenn.
- 2. Duncan was 8 years old when his uncle ran for superintendent of schools. Helping his uncle campaign sparked Duncan's interest in politics.
- 3. In 1971, Duncan graduated from Cumberland College (now known as University of the Cumberlands) with cum laude honors. He received his law degree from University of Kentucky College of Law.
- 4. Duncan spent his honeymoon at the 1972 Republican National Convention in Miami and in the Bahamas. He met his bride, fellow student Joanne Kirk, at law school.
- 5. With his wife, Duncan is the principal owner of two community banks with five offices in eastern Kentucky.
- 6. While interning for the Kentucky General Assembly, Duncan was Richard Nixon's driver when the president was campaigning for re-election in the Bluegrass State.
- 7. Robert M. Duncan Jr., an assistant U.S. attorney, is Duncan's son. Like his parents, he attended University of Kentucky College of Law.
- 8. Duncan met former Bush strategist Karl Rove as a college student when both were members of the College Republicans.
- 9. Kentucky Secretary of State Trey Grayson, who had been a registered Democrat, credits Duncan for his move to the Republican Party. Grayson considers Duncan one of his mentors.
- 10. Duncan, who was elected Republican National Committee chairman in 2007, has served in numerous positions with the RNC, including treasurer and regional vice chairman.

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Robert M. Duncan

President & Chief Executive Officer at American Coalition for Clean Coal Electricity



Primary Location

Inez, KY

Birth Location

Oneida, TN

Age

65 (Born 1951)

Notable Companies

The Republican National Committee, Inc.

American Coalition for Clean Coal Electricity

Community Thrift Holding Co.

Board Seats

9

Number of Relationships

This person is connected to 469 people.



The New York Times

December 2, 2015

()

Affordable, Reliable Coal

Environment & Energy Daily

November 20, 2015

PEOPLE: Coal group taps new leadership

The Washington Times

October 16, 2015

Obama doles out money to struggling coal towns

Environment & Energy Daily

October 7, 2015

CAMPAIGN 2015: Clashes over clean coal, Sierra Club arise in Ky. debate

Environment & Energy Daily

September 29, 2015

COAL: Advocacy group to slash staff in market downturn



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Harold C. Warman, Jr.

President & Chief Executive Officer at Consolidated Health Systems, Inc.

Dennis Dorton

Former President, Chief Executive Officer & Director at Citizens National Corp. (Kentucky)

Jo Ann Davidson

Founder at JAD Associates, LLC

Dewey L. Bocook, Jr.

Member, Board of Trustees at Highlands Regional Medical Center

Joanna Santiesteban

Chief of Staff at Highlands Regional Medical Center

Dennis E. Welch

Former Senior Vice President of Environment & Safety at American Coalition for Clean Coal Electricity

Burl Wells Spurlock

Chairman at Consolidated Health Systems, Inc.

Rob Collins

Executive Director at National Republican Senatorial Committee

James H. Booth

President, Chief Executive Officer & Director at Booth Energy Group

Chris Tackett

Member, Board of Trustees at Highlands Regional Medical Center













EDUCATIONAL BACKGROUND

J.D.

Class of 1974

University of Kentucky - College of Law

The College of Law is a college of the University of Kentucky. Founded initially from a law program at Transylvania University in 1799, the law program at UK began operations in 1908; it was one of the nation's first public law schools. In 1913, the college became the first in the nation to institute a trial practice program, and is host to the tenth-oldest student-run law review publication in the United States. As noted, the UK College of Law began operations in 1908. It was housed in a... + Show more

Undergraduate Degree

Cumberland College

MEMBERSHIPS

President

Prior

Kentucky Bankers Association

CAREER HISTORY

President & Chief Executive Officer

2012 - Current

American Coalition for Clean Coal Electricity

Chairman & Chief Executive Officer

1999 - Current

Community Thrift Holding Co.

Chairman & Chief Executive Officer

1984 - Current

Community Holding Co. (Kentucky)

Community Holding Co. (Kentucky) is a private company headquartered in Inez, KY, with domestic subsidiaries, involved in offices of bank holding companies. Robert Mike Duncan has been the CEO since 1984.

Chairman & Chief Executive Officer

1974 - Current

Inez Deposit Bank

Inez Deposit Bank, a subsidiary of Community Holding Co. (Kentucky), is a company headquartered in Inez, KY, specializing in state commercial banks. Robert Mike Duncan has been the CEO since 1974.

Secretary

Current

Highlands Regional Medical Center

General Counsel

2002 - 2007

The Republican National Committee, Inc.

The Republican National Committee (RNC) is a U.S. political committee that provides national leadership for the Republican Party of the United States. It is responsible for developing and promoting the Republican political platform, as well as coordinating fundraising and election strategy. It is also responsible for organizing and running the Republican National Convention. Similar committees exist in every U.S. state and most U.S. counties, although in some states party organization is... + Show more

Assistant Director of Public Liaison

1989 - 1991

Executive Office of the President Under George H. W. Bush

Director

Prior

Federal Home Loan Bank of Cincinnati

Federal Home Loan Bank of Cincinnati operates as a regional wholesale bank that provides financial products and services to its member financial institutions. The firm offers deposit products, securities safekeeping, wire transfers, and Federal Reserve settlement services. Its analytical services include performance analysis and review report, modeled funding strategy, county demographic report, and interactive models. The company was founded in 1932 and is headquartered in Cincinnati, O... + Show more

BOARDS & COMMITTEES

Corporate Boards **▼**

Chairman & Chief Executive Officer

1999 - Current

Community Thrift Holding Co.

Chairman & Chief Executive Officer

1984 - Current

Community Holding Co. (Kentucky)

Community Holding Co. (Kentucky) is a private company headquartered in Inez, KY, with domestic

subsidiaries, involved in offices of bank holding companies. Robert Mike Duncan has been the CEO since 1984.

Chairman & Chief Executive Officer

1974 - Current

Inez Deposit Bank

Inez Deposit Bank, a subsidiary of Community Holding Co. (Kentucky), is a company headquartered in Inez, KY, specializing in state commercial banks. Robert Mike Duncan has been the CEO since 1974.

Chairman

2007 - 2009

The Republican National Committee, Inc.

The Republican National Committee (RNC) is a U.S. political committee that provides national leadership for the Republican Party of the United States. It is responsible for developing and promoting the Republican political platform, as well as coordinating fundraising and election strategy. It is also responsible for organizing and running the Republican National Convention. Similar committees exist in every U.S. state and most U.S. counties, although in some states party organization i... + Show more

Non-Profit Boards ▼

Chairman

2010 - Current

American Crossroads

Chairman, Board of Trustees

Current

Caney Creek Community Center, Inc.

The mission of Alice Lloyd College is to educate mountain people for positions of leadership* Making an Alice Lloyd College education available to qualified mountain students regardless of their financial situation.* Offering a high quality academic program, emphasizing the liberal arts.* Promoting the work ethic through a self-help Student Work Program in which all full-time students participate.* Providing an atmosphere in which Christian values are maintained, encouraging high person... + Show more

Secretary, Board of Trustees

Current

Highlands Regional Medical Center

Director

Prior

Christian Appalachian Project, Inc.

Christian Appalachian Project, Inc. operates crisis intervention, educational and community development programs. Its services include hunger and poverty relief, child and family development, disaster relief, home repair and workfest and summer camps. The company is headquartered in Paintsville, KY.

Government Boards ▼

Chairman

2009 - 2010

Tennessee Valley Authority

Tennessee Valley Authority provides electricity for utility and business customers in the U. S. The company sells power to distributor who then resells power to their customers at retail rates. Its distributor customers consist of municipalities & other local government entities, and customerowned entities. The company also sells power to directly served customers, consisting primarily of federal agencies and customers with large or unusual loads. It operates hydroelectric dams, co... + Show more

POLITICAL DONATIONS

\$1,000

2016

Harold Dallas Rogers

Representative from Kentucky's 5th Congressional District

\$1,000

2016

Paul Ryan

Speaker at Office of the Speaker of the House of Representatives, Paul Ryan

\$500

2014

Harold Dallas Rogers Representative from Kentucky's 5th Congressional District \$500 2013 Harold Dallas Rogers Representative from Kentucky's 5th Congressional District \$2,500 2012 Mitt Romney B SEE 45 MORE POLITICAL DONATIONS RECEIVED \$200 2000 Jay Ingle Attorney at Jackson Kelly PLLC \$5,000 2000 Kentucky Democratic Party \$500 2000 Kentucky Medical Association \$500 2000 Kentucky Association of Realtors

Attendee

EVENTS

Saint Paul, MN

2008 Republican National Convention

Attendee

Philadelphia, PA, United States

2000 Republican National Convention

Attendee

1996 Republican National Convention

Attendee

Houston, TX, United States

1992 Republican National Convention

Attendee

Kansas City, MO, United States

1976 Republican National Convention



SEE 1 MORE

OTHER AFFILIATIONS

Robert M. Duncan is affiliated with American Coalition for Clean Coal Electricity, Community Thrift Holding Co., Community Holding Co. (Kentucky), Inez Deposit Bank, Highlands Regional Medical Center, The Republican National Committee, Inc., Executive Office of the President Under George H. W. Bush, Federal Home Loan Bank of Cincinnati, Community Thrift Holding Co., Community Holding Co. (Kentucky), Inez Deposit Bank, The Republican National Committee, Inc., American Crossroads, Caney Creek Community Center, Inc., Highlands Regional Medical Center, Christian Appalachian Project, Inc..





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Department of Political Science Faculty - Scott Lasley

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Dr. Scott Lasley

Professor

Office: Grise Hall - 317 Phone: 270-745-2799

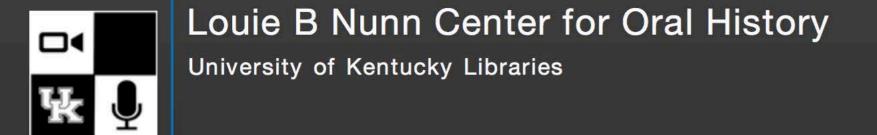
Email: scott.lasley@wku.edu

Biography

Ph.D., University of Iowa: American Politics, Legislative Politics, and Research Methods.

Research Focus: Elections and Sports and Politics.

Currently serving as the campus coordinator for the Kentucky Legislative Research Commission Internship Program.





Collection Catalog

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Interview with Walter S. Reichert, January 27, 2006

Description Access Interview Request Interview

Description:

LC Subjects:

Reichert (House 1964, 46th district; Senate 1966-1972, 34th district; Republican) reflects on his childhood and early educational experiences. He discusses his interest in the Civil War, his early campaigning efforts and his expectations as a freshman representative. He details opposition to the school district merger under the "umbrella plan" that resulted in bussing in Jefferson County. Reichert talks about his work on the Tennessee Tombigbee Waterway, the Falls of the Ohio center, and the Health and Welfare Committee. He gives his impressions of governors Breathitt, Nunn and Ford as well as Louisville legislators Mazzoli and McConnell. Part 2 of 2.

Interview Accession: 2006oh026_leg088

Interviewee: Walter S. Reichert

Interviewer: Jan Romond

Interview Date: 2006-01-27

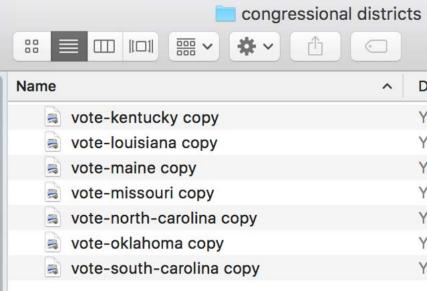
Interview Keywords: bussing campaigning Civil War Health and Welfare Committee school district merging Stu Reichert

Breathitt, Edward T., 1924- Education Ford, Wendell H., 1924- Jefferson County (Ky.) Kentucky. Governor (1963-1967: Breathitt) Kentucky. Governor (1967-1971: Nunn) Legislators--Kentucky--Interviews Mazzoli, Romano L. McConnell, Mitch Nunn, Louie B., 1924-2004 Reichert, Walter S. Reichert, Walter S.--Interviews

United States--History--Civil War, 1861-1865.

Restriction: No Restrictions

Project: Kentucky Legislature Oral History Project (LEG001)







BALLOT FOR PRESIDENT

(Certificate of Vote)

List of persons voted for as President of the United States of America for the term prescribed by the Constitution of the United States to begin on the 20th day of January, A.D., 2017, by the Electoral College of the State of Louisiana, on this the first Monday after the second Wednesday in December, it being the 19th day of said month, A.D., 2016, in the City of Baton Rouge, State of Louisiana, with the number of votes for each, to-wit:

Donald J. Trump, of New York, received eight votes.

We, the undersigned Electors of President and Vice-President of the United States of America, duly and legally chosen and appointed by the State of Louisiana, at an election held on the 8th day of November, A.D., 2016, do hereby certify that the foregoing list of votes cast for President of the United States by the Electoral College of the State of Louisiana is correct.

IN WITNESS WHEREOF, we have hereunto set our hands this 19th day of December, A.D., 2016, in the City of Baton Rouge, in the State of Louisiana.

Steven Scott Wilfong, Elector at Large

Christopher David Trahan, Elector, First Cong. District

Lloyd A. Harsch, Elector, Second Cong. District

Charles L. Buckels, Jr., Elector, Third Cong. District

Kay Kellogg Katz, Elector, Fourth Cong. District

Lennie H. Rhys, Elector, Sixth Cong. District



(Certificate of Vote)

List of persons voted for as Vice-President of the United States of America for the term prescribed by the Constitution of the United States to begin on the 20th day of January, A.D., 2017, by the Electoral College of the State of Louisiana, on this the first Monday after the second Wednesday in December, it being the 19th day of said month, A.D., 2016, in the City of Baton Rouge, State of Louisiana, with the number of votes for each, to-wit:

Michael R. Pence, of Indiana, received eight votes.

We, the undersigned Electors of President and Vice-President of the United States of America, duly and legally chosen and appointed by the State of Louisiana, at an election held on the 8th day of November, A.D., 2016, do hereby certify that the foregoing list of votes cast for President of the United States by the Electoral College of the State of Louisiana is correct.

IN WITNESS WHEREOF, we have hereunto set our hands this 19th day of December, A.D., 2016, in the City of Baton Rouge, in the State of Louisiana.

Aut Must
Garrett C. Monti, Elector at Large
and the same of th
Steven Scott Williams, Elector at Large
Thurs Dent All
Christopher David Trahan, Elector, First Cong. District
Aloyd S. Harsel
Lloyd A. Harsch, Elector, Second Cong. District
(led 1573
Charles L. Buckels, Jr., Elector, Third Cong. District
House Anallone
Louis R. Avallone, Elector, Fourth Cong. District
Van Kellon Kate
Kay Kellogg Katz, Elector, Fifth Cong. District
Benne Dan
Lennie H. Rhys, Elector, Sixth Cong. District





VOTER REGISTRATION ELECTION CALENDAR

BALLOT INFORMATION

VOTING INFORMATION

CHANGE SEARCH

Name: Charles Lee Buckels, Jr Party: Republican Parish: Lafayette Ward/Precinct: 00/031 Status: Active

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VOTER INFORMATION Iss	ued 12/31	/2016
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Name Charles Lee Buckels, Jr

Ward/Precinct00/031Voter Number3194830PartyRepublicanRegistration Date12/10/1973

Your Voting Site Is: Registrar Of Voters:

ACADIANA HIGH SCHOOL Charlene Meaux Menard
315 RUE DE BELIER LAFAYETTE PARISH

LAFAYETTE 1010 LAFAYETTE ST., SUITE 313 LAFAYETTE, LA 70501-6885

(337) 291-7140

Your Districts Are:

Congress	03	Supreme Court	03
Senate	26	Appeals Court	335A
Representative	045	District Court	153
Police Jury	01	Public Service Commissioner	02
School Board	01	BESE	07
Justice of the Peace	LC	Dev	None
City	LF	Republican State Central Comm	26D
Tax Ward	None		

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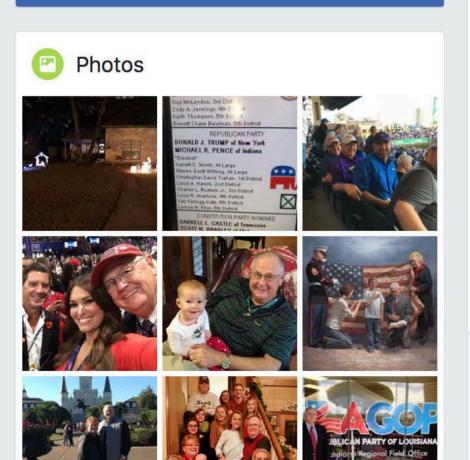




- Studied Marketing at LA Tech
- Studied at LSU
- Went to Istrouma Senior High School
- Lives in Lafayette, Louisiana
- Married
- From Lafayette, Louisiana

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Charlie Buckels updated his cover photo. December 26 at 8:18am · 🚱



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Ginny Gibbs Berry So ugly he's cute ... talking bout the dog!!!

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Charlie Buckels updated his profile picture.

December 25 at 10:31pm · 🚱





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Vinicio E. Madrigal Yet you are one heck of a pilot... And that's not just flying a plane but, helping us keep this a great nation.

December 26 at 1:01am



Andrea Mayhorn Brandt Thanks, Charlie!

December 26 at 1:40am



Terry Gaston Still looking great SIR Charles

1 · December 26 at 3:35am



Fred Schwarz Way to go Charlie. I actually knew two Electors this year.

December 26 at 2:40pm

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Christopher Trahan for State Representative, District 104

@electchristophertrahan

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I am a true conservative who will work to cut taxes and reduce the size of government.

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Kelly Erin Scanlon

December 1 at 10:34am 🕙

Mr. Trahan, As a Christian and an American, I am deeply troubled by ... See More

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Lori Ashcraft

November 14 at 3:24pm 🕙

Hello, Thank you for taking on the role of being an Elector in our ... See More

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Sherrie Gingery

November 12 at 12:35pm 🕙

Dear Elector: On December 19th, 2016, you will meet with your fello... See More

1 Like

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Christopher David Trahan

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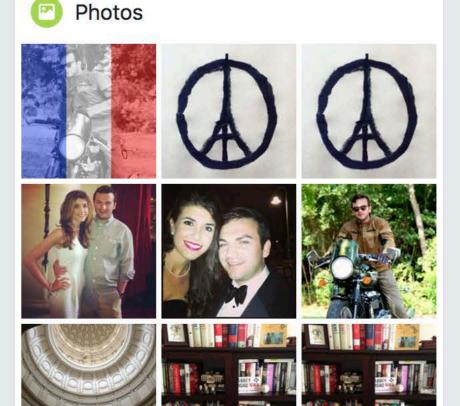
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- Studied at University of Massachusetts
- Studied Anthropology at LSU
- Followed by 24 people





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Facebook @ 2016



Christopher David Trahan updated their profile picture.

November 29, 2015 · 🚱





1 25

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Chuck Combs When are we going to go for a day ride?









VOTER REGISTRATION

ELECTION CALENDAR

BALLOT INFORMATION

VOTING **INFORMATION** CHANGE SEARCH

Name: Christopher David Trahan Party: No Party Parish: East Baton Rouge Ward/Precinct: 03/046 Status: Active

Frequently Asked Questions

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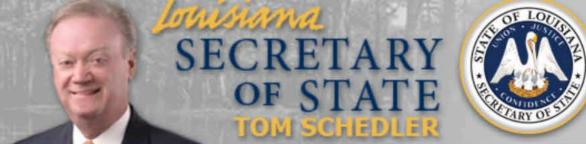
lame	Christopher Day	vid Trahan	
Vard/Precinct	03/046	Voter Number	1986806
arty	No Party	Registration Date	06/28/2001
our Voting Site Is	:	Registrar Of Voters:	
LLINGRATH HILLS 12 AUDUSSON DR EENWELL SPRING		Steve Raborn EAST BATON ROUGE PAST BATON ROUGE, LA 708 (225) 389-3940	1

Your Districts Are:				
Congress	06	Public Service Commissioner	02	
Senate	06	BESE	06	
Representative	065	Drainage	ARB	
Police Jury	04	Republican State Central Comm	06D	
School Board	CE2	Dwntwn Dev	None	
Justice of the Peace	3-1	Family Court	X2	
City	CE	City Court	None	
Tax Ward	None	Juv Court	X1	
Supreme Court	05	Fire	F4	
Appeals Court	121	Security	None	
District Court	192	Road Light	None	

WANTED: COMMISSIONERS! CALL YOUR CLERK OF COURT FOR INFORMATION.

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VOTER REGISTRATION ELECTION CALENDAR

BALLOT INFORMATION

VOTING INFORMATION

CHANGE SEARCH

Name: Kay Kellogg Katz Party: Republican Parish: Ouachita Ward/Precinct: 00/60 Status: Active

Frequently Asked Questions

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My Districts

My Registrar Of Voters

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Name	Kay Kellogg Katz		
Ward/Precinct	00/60	Voter Number	4794889
Party	Republican	Registration Date	12/03/1987
Your Voting Site Is	:	Registrar Of Voters:	
SAUL ADLER RECREA 3900 WESTMINISTER MONROE		Christa Medaries OUACHITA PARISH 1650 DESIARD ST SUI MONROE, LA 71201-77 (318) 327-1436	

Your Districts Are:				
Congress	05	Public Service Commissioner	05	
Senate	34	BESE	05	
Representative	014	Republican State Central Comm	34A	
Police Jury	F	Recreation	None	
School Board	03	Development	None	
Justice of the Peace	None	City Court	В	
City	02	Hosp	None	
Tax Ward	10	School	None	
Supreme Court	04	Fire	None	
Appeals Court	212	Road Light	None	
District Court	042			

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VOTER REGISTRATION

ELECTION CALENDAR

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VOTING **INFORMATION** CHANGE SEARCH

Name: Lennie H Rhys Party: Republican Parish: East Baton Rouge Ward/Precinct: 01/035 Status: Active

Frequently Asked Questions

My Elected Officials

My Districts

My Registrar Of Voters

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Voter Information

Appeals Court

District Court

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02

06

None

None

16C

X3

X2

X1

FBR

CH

None

VOTER INFORMATION Issued 12/	31	/2016
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Name **Lennie H Rhys**

Ward/Precinct 01/035 **Voter Number** 1713773 Republican **Registration Date** 09/05/1990 **Party**

Your Voting Site Is: Registrar Of Voters:

WESTDALE MIDDLE SCHOOL Steve Raborn

EAST BATON ROUGE PARISH 5620 CLAYCUT RD **BATON ROUGE** 222 ST.LOUIS ST, #201

121

193

BATON ROUGE, LA 70802-5860

(225) 389-3940

Congress 06 Public Service Commissioner Senate 16 BESE

Representative 068 Drainage Republican State Central Comm Police Jury 07 **Dwntwn Dev** School Board 05 Justice of the Peace None Family Court City Court City BR Tax Ward Juv Court None Fire Supreme Court 05

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Security

Road Light

Your Districts Are:

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VOTER REGISTRATION

ELECTION CALENDAR

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VOTING **INFORMATION** CHANGE SEARCH

Name: Lloyd Allan Harsch Party: Republican Parish: Orleans Ward/Precinct: 09/30 Status: Active

Frequently Asked Questions

My Elected Officials

My Districts

My Registrar Of Voters

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Print Voter Registration Card

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Voter Information

NEW ORLEANS

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VOTER	INFORM	IATION	Issued	12	/31	/2016
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Lloyd Allan Harsch Name

Ward/Precinct 09/30 **Voter Number** 4868865 Republican **Party Registration Date** 08/31/2000

Your Voting Site Is: Registrar Of Voters:

N.O. BAPTIST THEOLOGICAL SMNRY Sandra Wilson Ph.d.

3939 GENTILLY BLVD ORLEANS PARISH

CITY HALL, 1300 PERDIDO ST., #1W24

NEW ORLEANS, LA 70112-2127

(504) 658-8300

Your Districts Are:

02	Appeals Court	41
03	District Court	NO
097	Public Service Commissioner	03
D	BESE	02
02	Security	None
None	City Court	CON1
None	Republican State Central Comm	03A
None	Improvement	None
07	• •	
	03 097 D 02 None None None	03 District Court 097 Public Service Commissioner D BESE 02 Security None City Court None Republican State Central Comm None Improvement

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- Director at The Institute for Faith and the Public Square
- Professor at New Orleans Baptist Theological Seminary
- Studied Church history at Southwestern **Baptist Theological Seminary**
- Studied at Southwestern Baptist Theological Seminary
- Studied at New Orleans Baptist Theological Seminary
- Studied Psychology at University of North Dakota
- Went to Red River High School
- Lives in New Orleans, Louisiana
- Married to Jill Harsch
- From Grand Forks, North Dakota











Lloyd Harsch updated his cover photo.

February 10 · 🚱





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Rosemary Cash McAlister Great photo of you all! I miss each one of you...such good times in Israel with your family! Such laughs!!!!

February 11 at 8:07am





Louis R. Avallone

@ImWithLou

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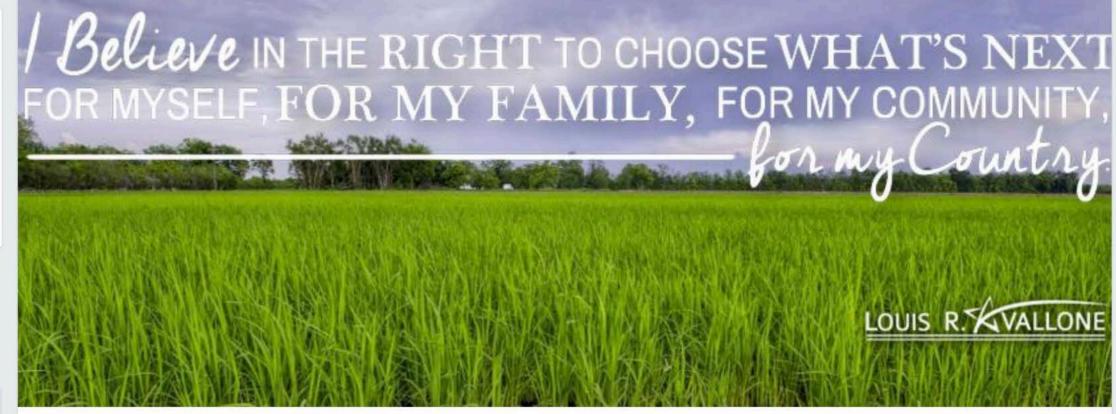
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"As for the enemies of freedom, those who are potential adversaries, they will be reminded that peace is the highest aspiration of the American people. We will negotiate for it, sacrifice for it; we will not surrender for it, now or ever."

- Ronald Reagan

WITHOUT LABOR, NOTHING PROSPERS

Jabou

Louis R. Vallone

Day

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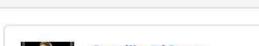
I am a Louisiana contractor and attorney, editor of The Caddo Republican, and regular political columnist for The Forum News.

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VOTER REGISTRATION

ELECTION CALENDAR

BALLOT **INFORMATION**

VOTING **INFORMATION** CHANGE SEARCH

Name: Louis Raphael Avallone Party: Republican Parish: Caddo Ward/Precinct: 00/068 Status: Active

Frequently Asked Questions

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My Registrar Of Voters

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My Electronic Notifications

Voter Information

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VOTER INFORMATION Issued	12	/31	/2016
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Name **Louis Raphael Avallone**

Ward/Precinct 00/068 **Voter Number** 927000 Republican 04/22/1988 **Party Registration Date**

Your Voting Site Is: Registrar Of Voters:

CEDAR GROVE/LINE AVENUE LIBRARY Ernie Roberson

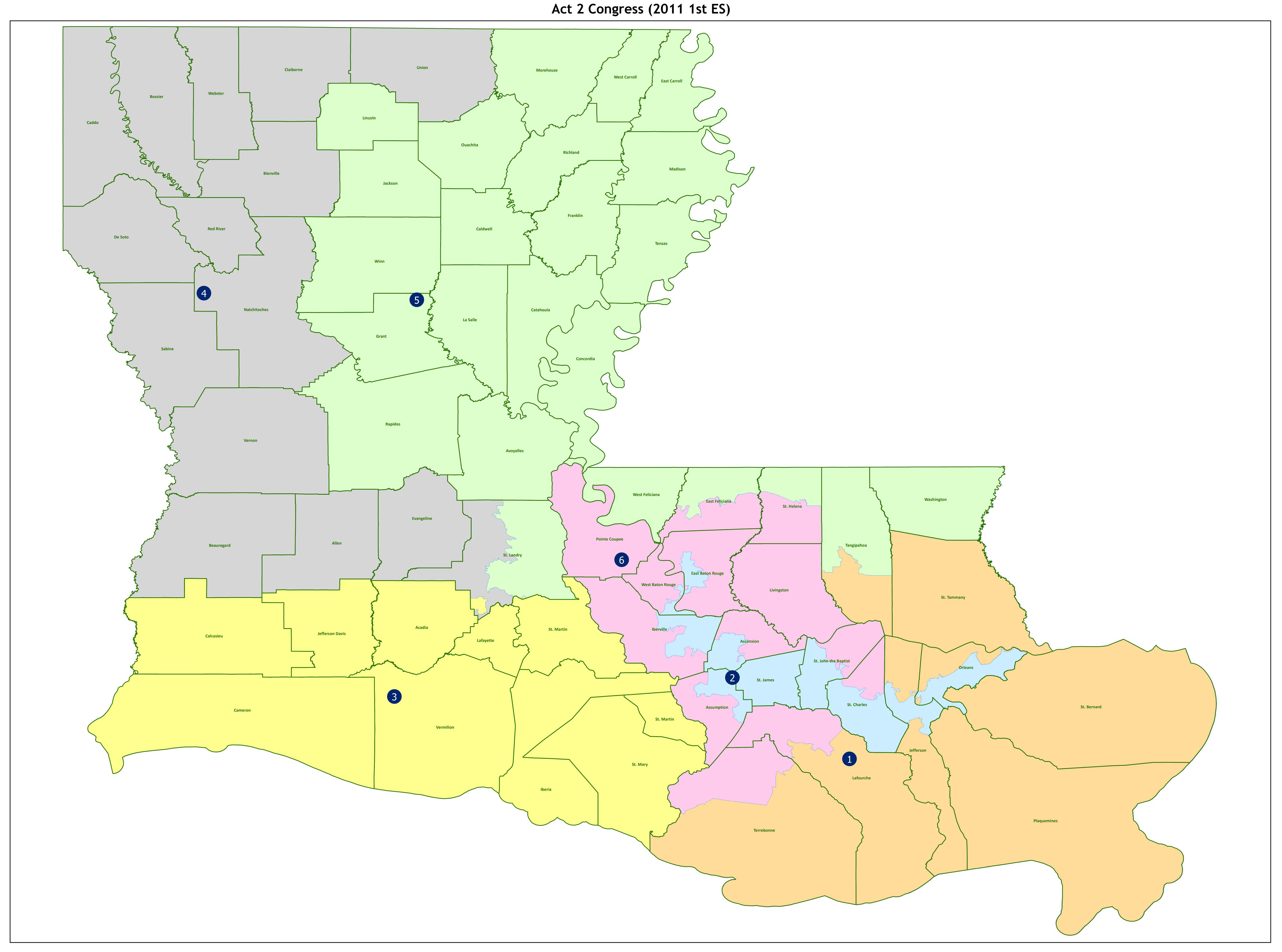
8303 LINE AVE CADDO PARISH SHREVEPORT

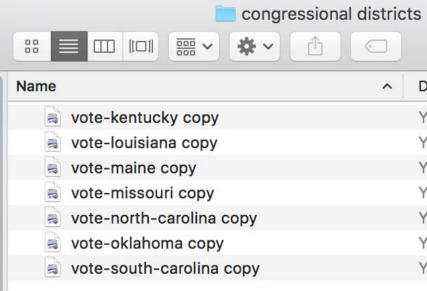
525 MARSHALL, SUITE 103 SHREVEPORT, LA 71101 (318) 226-6891

Your Districts Are:				
Congress	04	Public Service Commissioner	05	
Senate	38	BESE	04	
Representative	006	Republican State Central Comm	38F	
Police Jury	08	City Court	C2	
School Board	09	Fire	None	
Justice of the Peace	None	Hosp	None	
City	SD	Sales Tax	None	
Tax Ward	04	Water	None	
Supreme Court	02	Juv Court	JCT3	
Appeals Court	232	Sewer	None	
District Court	012			

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State of Maine



~ CERTIFICATE OF VOTE ~

State of Maine, ss.

We, the undersigned, having been duly appointed and qualified by and for the State of Maine to be Electors of President and Vice President of the United States for the respective terms commencing on the twentieth day of January in the year two thousand seventeen, having met in convention in the Chamber of the House of Representatives at Augusta, in the State of Maine, in pursuance of the directions of the Congress of the United States, on the first Monday after the second Wednesday in December, being the nineteenth day of December, in the year two thousand and sixteen;

Hereby Certify, That, a vote by two distinct ballots was held; first, for President of the United States, and then, for Vice President of the United States; and

We Further Certify, That, the following are two distinct lists; one, of the votes for President, and the other, of the votes for Vice President, so cast as aforesaid:

FOR PRESIDENT OF THE UNITED STATES:

NUMBER OF VOTES

HILLARY RODHAM CLINTON Chappaqua, NY

THREE

DONALD J. TRUMP New York, NY

ONE

FOR VICE PRESIDENT OF THE UNITED STATES:

NUMBER OF VOTES

TIMOTHY MICHAEL KAINE Richmond, VA

THREE

MICHAEL R. PENCE Indianapolis, IN

ONE

In Witness Whereof, given under our hands, in the Chamber of the House of Representatives at Augusta, in the State of Maine, on the first Monday after the second Wednesday in December, being the nineteenth day of December, in the year two thousand and sixteen.

Betty Johnson, Elector at Large

David Bright, Elector at Large

Diane Denk First Congressional District

Richard Bennett, Elector, Second Congressional District

STATE OF MAINE

~ APPOINTMENT OF REPLACEMENT ELECTOR ~

Whereas, Elector Samuel Shapiro of Winslow was not present when the Electoral College was convened; and

Whereas, Title 21-A MRSA Section 804, provides for the appointment of a replacement by the remaining Electors;

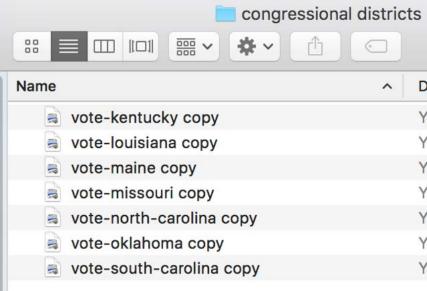
Therefore, the Electors present hereby appoint Betty Johnson of Lincolnville to fill the vacancy.

In Witness Whereof, given under our hands, in the Chamber of the House of Representatives at Augusta, in the State of Maine, on the first Monday after the second Wednesday in December, being the nineteenth day of December, in the year two and sixteen.

Diane Denk, Elector, First Congressional District

Richard Bennett, Elector, Second Congressional District

David Bright, Elector at Large





We, the undersigned Electors of the State of Michigan for President and Vice President, elected in the General Election held in the State of Michigan on November 8, 2016, and duly convened at the State Capitol in Lansing, Michigan, this 19th day of December, A.D. 2016, do hereby certify that the following are lists of all votes given by us for the office of President and Vice President, respectively, of the United States:

- 1. Votes cast for Donald J. Trump for President of the United States...Sixteen...16.
- 2. Votes cast for Michael R. Pence for Vice President of the United States...Sixteen...16.

In Witness Whereof, we have hereto set our hands at Lansing, Michigan, this 19th day of December, A.D. 2016.

ELECTORS OF THE STATE OF MICHIGAN FOR PRESIDENT AND VICE PRESIDENT OF THE UNITED STATES.

Hank Funs

Wyckham Seelig

Wyckham Seelig

Wyckham Seelig

Wyckham Seelig

Wyckham Seelig

Wyckham Seelig

Michael Banerian

Michael Banerian

Michael Banerian

Brian Fairbrother

Kelly Mitchell

Ken Crider

Mary S. Vauchen

Judy Rapanos

Mary Vaughan

Henry Hatter

Jim Rhoades

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Shelby Township Deputy Clerk elected to Electoral College



Shelby Township Deputy Clerk Brian Fairbrother has been elected to the Electoral College in Michigan.

Photo courtesy of Shelby Township Deputy Clerk Brian Fairbrother

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MICHIGAN REPUBLICAN PARTY

SECCHIA – WEISER REPUBLICAN CENTER 520 SEYMOUR AVENUE • LANSING, MICHIGAN 48933 (517) 487-5413 • www.migop.org

December 15, 2016

To Whom It May Concern:

It has been brought to our attention that the names of two of our Presidential Electors were misspelled when their names were submitted to both the Michigan Republican Party and the Secretary of State. We would like to clarify the spelling of both of their names and have them corrected prior to the Electoral College Ceremony on Monday, December 19th. The names of the electors and the correct spelling of each of their names are as follows:

- 1. Mary Vaughan-Elector from the 12th District
- 2. Jim Rhoades-Elector from the 13th District

We apologize for the inconvenience and late notice, and appreciate the Secretary of State's office for correcting this issue for us. If you should need any further information, please do not hesitate to reach out to Andrea Pollock at abommarito@migop.org or (517) 487-5413.

Sincerely,

Steven Ostrow Executive Director

Michigan Republican Party

Paid for by the Michigan Republican Party, with regulated funds.

Not authorized by any candidate or candidate's committee.

520 Seymour Avenue, Lansing, MI 48933

RICK SNYDER GOVERNOR

BRIAN CALLEY LT. GOVERNOR

CERTIFICATE OF ASCERTAINMENT OF THE ELECTORS OF THE PRESIDENT AND VICE PRESIDENT OF THE UNITED STATES OF AMERICA

I, Richard D. Snyder, Governor of the State of Michigan, certify that at the general election held in Michigan on Tuesday, November 8, 2016:

The following persons nominated by the **Republican Party**, each having received **2,279,543 votes**, were duly elected as Electors of the President and Vice President of the United States of America:

Hank Fuhs	3848 East Leonard, Grand Rapids, MI 49525;	
Joseph Guzman	4084 Hulett Rd., Okemos, MI 48864;	
John Haggard	101 Pearl St., Charlevoix, MI 49720;	
Jack Holmes	4128 Byron Rd., Hudsonville, MI 49426;	
Kelly Mitchell	2687 Woodmeadow Dr. SE, Grand Rapids, MI 49546;	
Judy Rapanos	1012 West Sugnet Rd., Midland, MI 48640;	
Henry Hatter	1238 East Farrand Rd., Clio, MI 48420;	
Robert Weitt	409 Mechanic, Sturgis, MI 49091;	
Wyckham Seelig	2708 Aspen Ct., Ann Arbor, MI 48108;	
Ross Ensign	2415 Canoe Circle Dr., Lake Orion, MI 48360;	
Michael Banerian	2950 Woodcreek Way, Bloomfield Hills, MI 48304;	
Brian Fairbrother	3237 Nickelby Rd., Shelby Township, MI 48316;	
Ken Crider	16381 Fairway St., Livonia, MI 48154;	
Mary Vaughn	9360 Elaine Ct., Taylor, MI 48180;	
Jim Rhodes	30924 Rosslyn, Garden City, MI 48135; and	
William Rauwerdink	5382 Pembrook Crossing, West Bloomfield, MI 48322.	

Votes received by other candidates for the office of Elector of the President and Vice President of the United States of America are as follows:

The following persons nominated by the **Democratic Party** each received **2,268,839 votes**: Carolyn Bourland; Elizabeth Olszewski; Mark Schauer; Johanna Balzer; Gerald Kariem; David Pawloski; Brian Middleton; Robert Alexander; Melody Magee; Susan Alderman; Lisa DiRado; Sheila Pedersen; Antoinette Martin; Jacalyn Kalogerakos; Mallak Beydoun; and Joan Robinson-Cheeks.

The following persons nominated by the **Libertarian Party** each received **172,136 votes**: Bradley Hunt; Andrew Hall; Vicki Hall; John J. McCurry; Shane Baker; Jason Brandenburg; Robert Broda; Jeff Wood; Matthew Orlando; Tracy Spilker; Jonathan Ray Osment; Tom Bagwell; Raymond Warner; Leonard Schwartz; Emily Osment; and John Gelineau.

The following persons nominated by the U.S. Taxpayers Party each received 16,139 votes: Allen Dill; Crystal Van Sickle; William A. Mohr; Doug Levesque; Patrick Lambert; Christine Schwartz; Edward J. Sanger; Ronald Monroe; Lester Townsend; Robert Gale; William A. Kohn, Jr.; Paul Stahl; Marc Sosnowski; Cecile A. Harrity; Mel Valkner; and Gerald Van Sickle.

The following persons nominated by the **Green Party** each received **51,463 votes**: Eric Siegel; Louis Novak; Anita Belle; David Smokler; Daniel Finn; Thomas St. Mary; R. Nicholas Bryce; Erin Fox; John Porter; Brooke Wheeler; Stuart Collis; LuAnne Kozma; George Corsetti; Jon Debling; Maria Green; and Margaret Guttshall.

The following persons nominated by write-in candidate Evan McMullin each received **8,177 votes**: Cheryl Carlson; Carl Jackson Underhill; Randall MacGeorge; Adam Daniel Bruski; Lisa Marie Dickson; James Dowling; Nancy Lee Wilson; Robert Edward Rhein; Kevin Bouche; Mitchell Davies; Hasan Mujib Khan; Azhar Tawakkul; Stephanie Ashcraft; Colin Slater; Shahida Haq Khan; and Nighat Azhar Tawakkul.

The following persons nominated by the **Natural Law Party** each received **2,209 votes**: Michael Treacy; William Napp; Frances Gentile; Michael Anderson; Craig Windt; Jacquis Robertson; Robert Youngs, Jr.; Richard Monroe; Thomas Hubbard; Erin Zettle; Nicholas Erard; Benjamin Fenner; Matthew Erard; Rachel Segall; Kenneth Berggren, Jr.; and Justin Petro.

The following persons nominated by write-in candidate Michael A. Maturen each received **517 votes**: Susan Maturen; Jack Kaczmarczyk; Erin Zoutendam; Carmen Austen; Adam Halfman; Diane Kaczmarczyk; Teresa Marie Starbuck; Lucy Moye; Kelly Miller; Peter Halabu; Nancy Edwards; Joshua Fahey; Thomas Fuller, Jr.; Rob Hohler; Brandon Mullins; and Allison Accardo.

The following persons nominated by write-in candidate Tom Hoefling each received 95 votes: Daniel Hughes; Kevin Cook; Suzanne Stuut; Robert Hernandez; Sheryl Kenney; Kimberly Cleveland; Thomas Frederick; Brandon Smith; Paula Erlandson-Hust; Ken Wells; Tony Collier; Janice Petersen; Chris A. Coatney; Cheryl Steinberg; Jerry Ernst; and Patricia Ernst.

The following persons nominated by write-in candidate Laurence Kotlikoff each received **87 votes**: Pamela K. Smith; Mary Schutt; Dan Royer; Paul A. Natke; Shelly L. Reynolds; Donald Meyer; Gene Capatina; Ramzi Masri-Elyafaoui; Jacob Schlau; James Radatz; Daniel S. Smith; Mark Moylan; Anthony Coleman; Nicholas Malzone; Daniel B. Smith; and Diana Smith.

The following persons nominated by write-in candidate Ben Hartnell each received 39 votes: Donna High; Tiffany Mick; Nick Laham; Rob McIntosh; Austin O'Connor; Brett Hake; Julie Decker; Jason Hamilton; Robyn Stern; Sarah Shields; Eileen Jacobs; Kevin Stoltz; Claude Felan; Gary Levit; Kevin Holtz; and Angel Hamilton.

The following persons nominated by write-in candidate Monica Moorehead each received 30 votes: Derek Maurice Grigsby; Jory M. Vandersloot; Thomas Joseph Burke; Gareth d'Hallecourt; Lloyd Clement Clarke; Randall R. Dibble; Christopher Alan Butson; John Austin Murphy; Martha Kathryn Grevatt; Kayla M. Pauli; James Ronald Carey III; Philip Andrew Booth; Deborah Lynne Johnson; Sharon Lynette Feldman; Robert L. Norfolk; and Tachae Jamela Davis.

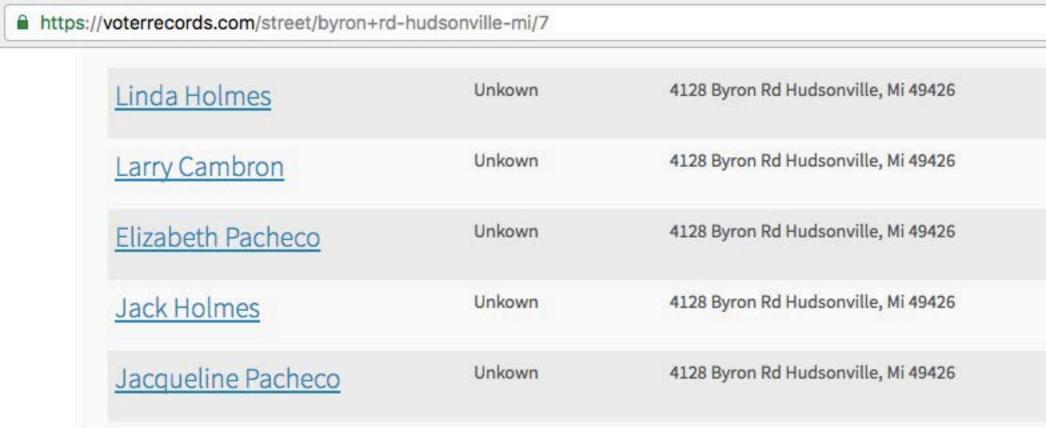
The following persons nominated by write-in candidate Cherunda Fox each received 10 votes: Heather Lambrix; Delwyn Brown; Kennith Boisseal; Tammy Alberts; Yvonne Corthian; Naome Holt; Ashley Cox; Nicole Williams; Ted Stanley; Namous Tousaiant; Joshua Krause; Allyson Horine; Richard Fox, Sr.; Dinah Fox; Marque Grier; and Edin Alihadzic.

Given under my hand and the Great Seal of the State of Michigan this 2 day of December in the Year of our Lord, Two Thousand Sixteen.

RICHARD D. SNYBER GOVERNOR

BY THE GOVERNOR:

SECRETARY OF STATE





1219 Gold Park Rd Red Cliff, Colorado 81649 Usage Residential

Associated Phone Numbers

(970) 827-5207

VIEW LOCATION REPORT (2)



i) www.vaildaily.com/news/town-talk/saturday-red-cliff-se...













June 23, 2016 | Back to: Town Talk

Saturday Red cliff services

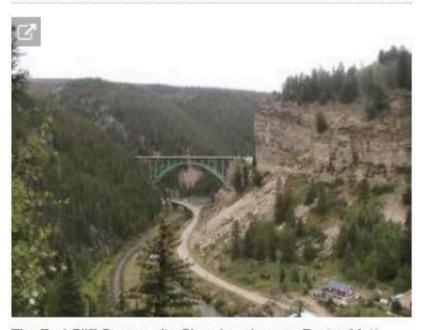
Article

Comments (0)









The Red Cliff Community Church welcomes Pastor Matt Wyatt of Trinity Church, who will fill the pulpit every fourth Saturday this summer. If youare in Red Cliff, head over when you hear the bell ring. All are welcome. Please donât mind the for sale sign outside; It is still the historic house of worship for which it was built. For more information, go to www.Facebook.com/RedCliffCommunityChurch, or e-mail church@redcliffchurch.com or call Jack Holmes, the chairman at the Red Cliff Church for Christians, at 970-827-5207.

Jack Edward Holmes	Residential Address:		
Gender: Male	4128 Byron Rd Hudsonville Mi 49426	Registered to Vote In: Ottawa County, MI	
	Mailing Address:	Registration Date: 10/17/2005	
	1219 Goldpark Rd Po Box 219 Redcliff Co 81649	Voter Status: Active	



Phone Number

<u>(970)</u> 827-5207

VIEW PHONE DETAILS

Line Type Prepaid

LandLine No

Carrier Location Connected

Vail, CO 81649 No





CERTIFICATE OF VOTE

We, the six (6) presidential electors elected in Mississippi at the November 8, 2016 General Election, assembled in Jackson, Mississippi on December 19, 2016, hereby certify that we have cast our six (6) electoral votes for the Office of President of the United States for the Honorable Donald J. Trump.

PATRICIA ANN HERBERT	12-19-16 DATE
JOE E SANDERSON	1321233
Charles evers	1.2-19-16 DATE
J. KELLEY WILLIAMS	12/19/2016 DATE
WILLIAM G. YATES, JR.	12/19/16 DATE
WIRT A YEROTR, JR.	12/19/16 DATE

STATE OF MISSISSIPPI



CERTIFICATE OF VOTE

Furthermore, we, the six (6) presidential electors elected in Mississippi at the November 8, 2016 General Election, assembled in Jackson, Mississippi on December 19, 2016, hereby certify that we have cast our six (6) electoral votes for the Office of Vice President of the United States for the Honorable Michael R. Pence.

Patricia ANN HERBERT	12-19-16 DATE
JOF. SANDERSON	1223433516 DATE
CHARLES EVERS	12-19-16 DATE
J. KELLEY WILLIAMS	12/19/2016 DATE
WILLIAM G. YATES, JR.	12/19/16 DATE
WIRT A. WRGER, JR.	12/19/16 DATE /19/16

STATE OF MISSISSIPPI

Office of the Governor



CERTIFICATE OF ASCERTAINMENT

TO: THE HONORABLE DAVID S. FERRIERO
ARCHIVIST OF THE UNITED STATES
NATIONAL ARCHIVES AND RECORDS ADMINISTRATION

I, PHIL BRYANT, Governor of the State of Mississippi, in accordance with Chapter 1, Section 6 of Title 3, United States Code, do hereby certify as follows:

At the General Election held on Tuesday, November 8, 2016, the qualified electors of the state at large elected and appointed six (6) Presidential and Vice Presidential Electors for the State of Mississippi; and

There was no controversy or contest concerning the election of all or of any of such Electors; and

Pursuant to the applicable laws of this State, final ascertainment has now been made of the results of the November 8, 2016 General Election, and the following named persons have been elected and appointed to serve as, and to discharge the duties of, Presidential and Vice Presidential Electors for the State of Mississippi:

ELECTORS FOR DONALD J. TRUMP FOR PRESIDENT AND MICHAEL R. PENCE FOR VICE PRESIDENT (REPUBLICAN PARTY)

Patricia Ann Hebert	700,714
Joe F. Sanderson	700,714
Bradley R. White	700,714
J. Kelley Williams	700,714
William G. Yates, Jr.	700,714
Wirt A. Yerger, Jr.	700,714

I do further certify that the number of votes cast at the November 8, 2016 General Election for the other candidates for election as Presidential and Vice Presidential Electors has been finally ascertained to be:

ELECTORS FOR HILLARY CLINTON FOR PRESIDENT AND TIM KAINE VICE PRESIDENT (DEMOCRATIC PARTY)

Rae Shawn D. Davis	485,131
Steve Holland	485,131
Kelly Jacobs	485,131
David Jordan	485,131
Deanne Sue Livingston	485,131
William Truly	485,131

ELECTORS FOR DARRELL CASTLE FOR PRESIDENT AND SCOTT N. BRADLEY FOR VICE PRESIDENT (MS CONSTITUTION PARTY)

Ross Aldridge	3,987
Thad Craft	3,987
Paul Leslie Riley	3,987
Monica Smith	3,987
Vince Thornton	3,987
Ryan Wickes	3,987

ELECTORS FOR "ROCKY" ROQUE DE LA FUENTE FOR PRESIDENT AND MICHAEL STEINBERG FOR VICE PRESIDENT (AMERICAN DELTA PARTY)

Melvin Bofford	644
FaDerrick Green	644
Jakeria Haynes	644
Shonda McKenzie	644
George Ratliff	644
Yasmen Williams	644

ELECTORS FOR JIM HEDGES FOR PRESIDENT AND BILL BAYES FOR VICE PRESIDENT (MS PROHIBITION PARTY)

Rebecca Marie Clark	715
Tommy R. Clark	715
Brad Roberts	715
Rachel Roberts	715
Fern H. Shands	715
Jesse Shands	715

ELECTORS FOR GARY JOHNSON FOR PRESIDENT AND BILL WELD FOR VICE PRESIDENT (LIBERTARIAN PARTY)

Elizabeth Barnes	14,435
Danny Bedwell	14,435
Regina Brim	14,435
Denise Cranford	14,435
Boyd Kendall	14,435
Jeff Mortenson	14,435

ELECTORS FOR JILL STEIN FOR PRESIDENT AND AJAMU BARAKA FOR VICE PRESIDENT (GREEN PARTY OF MS)

Nekita Gandy	3,731
Jan E. Hillegas	3,731
Greg Johnson	3,731
Alec Valentine	3,731
William Ashley Vaughn	3,731
Joyce M. Zehnie	3,731

IN WITNESS WHEREOF, I have hereunto set my hand and caused the Great Seal of the State of Mississippi to be affixed.



DONE at the Capitol, in the City of Jackson, this the 15th day of December, in the year of our Lord, Two Thousand and Sixteen, and of the Independence of the United States of America, the two hundred and forty-first.

PHIL BRYANT, GOVERNOR

WITNESS:

C. DELBERT HOSEMANN, JR. SECRETARY OF STATE

BYLAWS OF THE MISSISSIPPI REPUBLICAN PARTY

ARTICLE I: NAME

The name or this organization shall be the "Mississippi Republican Party," hereinafter referred to as the Party.

ARTICLE II: PURPOSE

The purpose of the Party is to develop a statewide intelligent, aggressive, and effective political organization, to support the principles, objects and platforms of this Party as adopted by its Convention and to secure the election of all duly nominated Republican candidates.

ARTICLE III: MEMBERSHIP

Membership of the Party shall consist of all persons who are qualified electors under the laws of the State of Mississippi and who are in accord with the statement of principles of the Party, which principles shall have been declared by the State Convention of this Party.

ARTICLE IV: CONVENTION

- SECTION 1: A State Convention shall be held in the year 1964 and every four (4) years thereafter at a time and place to be designated by the State Executive Committee, which Convention shall appoint Delegates and Alternate Delegates to the Republican National Convention, select a State Executive Committee, select one or more slates of Presidential electors, nominate a candidate for President and Vice President of the United States if it desires, adopt a platform, promulgate a statement of principles, elect a National Committeeman and National Committeewoman and take further actions deemed proper by the Convention.
- SECTION 2: The State Executive Committee shall give thirty (30) days notice of the Convention by authorizing the State Chairman to issue a Call, and by authorizing and directing the State Chairman to mail a copy of the Call to each member of the State Central Committee and to Chairman of each county Executive Committee, which Call shall also contain a Call for Precinct Meetings and County Conventions, and reasonable rules for conduct of the same. Said Call shall be posted in county courthouses prior to the Precinct Caucuses and County Conventions.
- SECTION 3: Delegates to the State Convention shall be apportioned and selected in the manner provided by the laws of the State of Mississippi. The officers of the State Central Committee shall be the officers of the Convention.
- SECTION 4: A majority of the duly certified Delegates shall constitute a quorum and a majority of a quorum shall have power to transact any business unless herein otherwise provided, and Robert's Rules of Order Newly Revised shall govern all proceedings of the Convention, unless the Convention adopts a set of Convention rules by a majority vote.

ARTICLE V: STATE EXECUTIVE COMMITTEE

- SECTION 1: The State Executive Committee shall consist of thirteen members from each Congressional District to be chosen by the Delegates from the different Congressional Districts, each District acting separately, and shall hold office for a term of not more than four (4) years.
- SECTION 2: All vacancies in the State Executive Committee shall be filled by the Committee with a qualified elector from the appropriate Congressional District in which the vacancy occurs.
- SECTION 3: The State Executive Committee shall do and perform all acts specifically required of the State Executive Committee by the laws of the State of Mississippi.
- SECTION 4: The first meeting of the State Executive Committee shall be held at a time to be fixed by the State Convention, at which time a Chairman, a Vice Chairman and a Secretary shall be elected. For this meeting only, a majority of those members present shall constitute a quorum and shall have power to transact all business related to the organization of the committee.
- SECTION 5: Except for the organizational meeting of the State Executive Committee, a majority shall constitute a quorum and a majority of a quorum shall have power to transact any business unless herein otherwise provided, and Robert's Rules of Order Newly Revised shall govern the proceedings of the Committee, unless the Committee adopts a set of Committee rules by a two-thirds (2/3) vote.
- SECTION 6: Notice of a State Central Committee meeting shall ipso facto constitute notice of meeting of this Committee, and it may transact any business required by law at any State Central Committee meeting.
- SECTION 7: Notwithstanding any other provision of these By-laws to the contrary, the State Executive Committee may approve the qualifications of candidates and may declare nominees upon receipt by the Chairman of the written consent of a majority of the committee. However, upon the written request of one-quarter of the members of the State Executive Committee, the Chairman shall instead convene a meeting of the State Executive Committee to determine such issues.

ARTICLE VI: STATE CENTRAL COMMITTEE

- SECTION 1: The State Central Committee of the Party shall be composed of the members of the State Executive Committee, the National Committeeman, the National Committeewoman, the State Finance Chairman, the General Counsel, any former State Party Chairman, the Chairman of the Mississippi Young Republican Federation, the President of the Mississippi Federation of Republican Women, the President of the Mississippi Republican Elected Officials Association, the Chairman of the Mississippi Federation of College Republicans, the Treasurer, the Chairman of the Capital Foundation, the Chairman of the United Republican Fund, the Chairman of the Teen Age Republicans; and all Republicans elected to state-wide office, the Mississippi Transportation Commission, the Mississippi Public Service Commission, the United States Senate, and the United States House of Representatives; as well as the Republican Speaker of the Mississippi House of Representatives. Elected officials, when necessarily absent from the meetings of the Central Committee, may be represented by persons designated by them in writing for that purpose, who shall have all the privileges of members of the Central Committee.
- SECTION 2: Except when the State Convention is in session, the State Central Committee shall have control and management of all of the affairs and properties of the Party.
- SECTION 3: The State Central Committee shall meet at least once each quarter upon the call of the State Chairman and at such other times as may be necessary upon the call of the State Chairman or a majority vote of the members of the Committee.

SECTION 4: All members of said Committee shall be given seven (7) days written notice by the State Chairman of all meetings, which notice shall be mailed to the last known post office address of each member or by electronic mail.

SECTION 5: A quorum for the transaction of business shall consist of a majority of the members of the Committee and a majority of a quorum shall have power to transact any business unless herein otherwise provided, and Robert's Rules of Order Newly Revised shall govern all proceedings of the Committee, unless the Committee adopts a set of other rules by a two-thirds (2/3) vote.

ARTICLE VII: OFFICERS

- SECTION 1: STATE CHAIRMAN. The State Chairman shall be elected by the State Executive Committee in the manner herein set forth; shall be the Chairman of and preside at all meetings of the State Convention, State Executive Committee, and State Central Committee; shall be the chief executive officer of the Party; shall have general supervision over the affairs, activities and employees of the Party; shall make all Committee appointments unless herein or by law otherwise provided; shall be responsible for drafting and submitting a budget for approval of the State Central Committee; and shall perform such other duties as are required by law and as usually pertain to the office of Chairman, including coordination with other State and National Party leaders.
- SECTION 2: STATE VICE CHAIRMAN. The State Vice Chairman shall be elected by the State Executive Committee in the manner set forth in Article V, Section IV, shall perform the duties of the State Chairman in his absence at meetings of the State Convention, State Central Committee, and the State Executive Committee, and perform such other duties as are required by law or as may be prescribed by the State Central Committee and as are incident to this office.
- SECTION 3: SECRETARY. The Secretary shall be elected by the State Executive Committee in the manner herein provided and shall be Secretary of the State Convention, State Central Committee, and the State Executive Committee; shall keep minutes of the meetings of each, and perform such other duties as are required by law or as may be prescribed by the State Central Committee and as are incident to this office and in the same manner an Assistant Secretary may be elected and may perform the duties of the Secretary.
- SECTION 4: NATIONAL COMMITTEEMAN AND NATIONAL COMMITTEEWOMAN. The National Committeeman and National Committeewoman shall be elected by the State Convention and shall be the Party's official representatives with the Republican National Committee and shall perform such other duties as are incident to the office.
- SECTION 5: TREASURER. The Treasurer shall be appointed by the State Chairman with the approval of the State Central Committee; shall be custodian of all funds of the Party; keep a detailed record of the receipts and expenditures of the Party; and perform all such other duties as are incident to this office; and shall be bonded in an amount to be determined by the State Central Committee.
- SECTION 6: GENERAL COUNSEL. The General Counsel shall be appointed by the State Chairman with the approval of the State Central Committee and shall serve as legal adviser to all committees herein provided, and shall perform such other duties as are incident to this office.

ARTICLE VIII: STANDING COMMITTEES

- SECTION 1: The standing committees of the State Central Committee shall be the United Republican Fund Committee, the Audit Committee, and the Candidate Committee.
- SECTION 2: UNITED REPUBLICAN FUND COMMITTEE. This Committee shall be composed of a State URF Chairman and State Executive Finance Committee, all of whom shall be appointed by the State

Chairman. In addition, and at the discretion of the State Chairman, this Committee may include a State URF Co-Chairman, as well as up to one person from each county to be appointed by the County Chairman with the approval of the State URF Chairman. The general control and supervision of URF fundraising activities and budgets shall be managed by the URF Chairmen and State Executive Finance Committee in consultation with the State Chairman and State Executive Committee.

SECTION 3: AUDIT COMMITTEE. The Audit Committee shall be composed of three (3) persons selected by the State Central Committee whose duties shall be to examine, or cause to be examined, the accounts of the State Finance Chairman, and shall make an annual report to the State Central Committee.

ARTICLE IX: ORGANIZATIONS

SECTION 1: Except when the County Convention is in session, the County Executive Committee shall function as the principle organizational arm of the Party below the state level and shall have the control and management of the affairs and properties of the Party throughout the county. The County Executive Committee shall meet at least once each quarter upon the call of the County Chairman and at such other times as may be necessary upon the call of the County Chairman or a majority of the members of the Committee. Municipal Executive Committees shall do and perform only those acts specifically required of them by the laws of the State of Mississippi or authorized by these By-Laws or by appropriate action of the Executive Committee(s) of the county(s) wherein the subject municipality is located.

SECTION 2: All affiliated organizations herein authorized shall be under control and supervision of the State Central Committee and may continue to function, operate, and use the name "Republican" in their name, unless the authorization is withdrawn by a majority vote of the State Convention or a two-thirds (2/3) vote of the State Central Committee.

SECTION 3: No affiliated organization may adopt a Constitution, By-Laws, or rules inconsistent with these By-Laws.

SECTION 4: The following affiliated organizations are hereby authorized to-wit: (1) MISSISSIPPI FEDERATION OF REPUBLICAN WOMEN; (2) MISSISSIPPI YOUNG REPUBLICAN FEDERATION; (3) MISSISSIPPI FEDERATION OF COLLEGE REPUBLICANS; and (4) the MISSISSIPPI TEENAGE REPUBLICANS; (4) OFFICIAL REPUBLICAN CLUBS; (5) REPUBLICAN ELECTED OFFICIALS.

SECTION 5: A County Executive Committee may authorize the formation of county, municipal, or beat Republican clubs, subject to approval by the State Central Committee. In the case where a Republican Club is to serve multiple counties, the county executive committees of said counties must authorize its formation, subject to the approval of the State Central Committee.

ARTICLE X: PROXIES

No proxies shall be authorized by any committees or conventions of this Party, except that this shall not be construed to prohibit duly elected alternate delegates from acting and voting for delegates in county, state, or national conventions.

ARTICLE XI: RULES AND REGULATIONS

The State Convention and all Committees of this Party are authorized to adopt reasonable rules and regulations in order to facilitate the orderly conduct of its business so long as said rules do not conflict with these By-Laws or any federal or state statutes.

ARTICLE XII: RESIGNATIONS AND REMOVALS

SECTION 1: RESIGNATIONS. Any officer, Executive Committee member, Committee Chairman, or member of any Committee may resign by submitting written letter of resignation to the State Chairman or if the resignation be by one holding a position in a county organization, then in that event the letter of resignation shall be submitted to the County Chairman with a copy forwarded to the State Chairman. A change of residence shall constitute an automatic resignation if residence is a necessary requirement to hold the office or be a member of a committee.

SECTION 2: REMOVALS. Any and all officers, Executive Committee members, chairman of committees, and members of any other committees of the Party, or of affiliate organizations authorized herein or by the State Central Committee, may be removed for cause by a majority vote of the entire State Executive Committee provided thirty (30) days written notice is given of said meeting and an opportunity is given to be heard at said meeting. Any County Executive Committee may remove any officer, Executive Committee member, committee chairman, or other committee member in its county for cause by a two-thirds (2/3) vote of the entire County Executive Committee provided ten (10) days notice of proposed actions shall have been duly given to the members with the notice of the meeting and provided that if the person affected is not a member of the County Executive Committee, then in that event the affected person shall also be given ten (10) days notice in writing of the meeting and an opportunity to be heard at such meeting, and in the event of a removal of any person by a County Executive Committee the affected member may appeal said removal decision to the State Executive Committee by giving notice to the State Chairman within ten (10) days after receipt of notice of his removal. The State Executive Committee will consider such an appeal within thirty (30) days from receipt of notice of the appeal of the appellant and all members of the County Executive Committee shall be given at least ten (10) days notice prior to hearing the appeal. The decision of the majority vote of the State Executive Committee shall be binding.

SECTION 3: ABSENTEEISM. In the event a member of the State Central Committee should be absent from two meetings of the State Central Committee in any one calendar year, the Secretary of said Committee is hereby and herein authorized and directed to notify said member in writing of such absences and to request his attendance at all future meetings of the State Central Committee. In the event a member of the State Central Committee should be absent from three meetings of the State Central Committee in any one calendar year such absentees shall be deemed cause for removal of such member pursuant to the provisions of Section 2, Article XII of these By-Laws.

ARTICLE XIII: ENDORSEMENT OF CANDIDATES

SECTION 1: No committee of the Mississippi Republican Party or any organization authorized to use the name Republican pursuant to the provisions of these By-Laws, whether state, multi-county, county, or municipal, shall endorse or oppose any Republican candidate for public office prior to a Party primary when the Republican nominee will be selected by primary election.

SECTION 2: In the event a Party nominee will not be selected by a primary election, then candidates for national, statewide, state-district, or multi-county offices may be endorsed by the State Central Committee; for county and county-district offices, by the County Executive Committee; and for municipal offices by the Municipal Executive Committee; provided no other committees or organizations organized pursuant to the provisions of these By-Laws may endorse candidates other than those endorsed by the governing committees as specified above.

ARTICLE XIV: SEVERABILITY CLAUSE

If a court of competent jurisdiction shall adjudge to be invalid or unconstitutional any clause sentence, paragraph, section, or part of these By-Laws, such judgement or decree shall not affect, impair, invalidate, or nullify the remainder of these By-Laws, but the effect thereof shall be confined to the clause, sentence, paragraph, section, or part of these By-Laws so adjudged to be invalid or unconstitutional, and if any part of these By-Laws is

in conflict with any laws of the State of Mississippi or the United States of America now, or as a result of future enactments, then these By-Laws shall be considered to be automatically amended to conform with the law.

ARTICLE XV: ADOPTIONS AND AMENDMENTS

These By-Laws shall take effect and be in force from and after the 30th day of May 1964, and these By-Laws may be amended by a two-thirds (2/3) vote of the State Convention or a three-fourths (3/4) vote of the State Central Committee.

Re-adopted as amended June 1, 1968 Re-adopted as amended May 20, 1972

Adopted May 30, 1964

Re-adopted as amended April 10, 1976

Re-adopted as amended May 10, 1980

Re-adopted as amended April 14, 1984

Re-adopted without amendment May 21, 1988

Re-adopted without amendment May 9, 1992

Re-adopted as amended May 8, 1996

Re-adopted as amended May 18, 1996

Re-adopted as amended May 11, 2000

Re-adopted without amendment May 15, 2004

Re-adopted with amendment May 10, 2008

Re-adopted with amendment May 19, 2012

12/30/2016 Press Release

PRESS RELEASES



FOR IMMEDIATE RELEASE: December 19, 2016

CONTACT: Leah Rupp Smith (/Pages/MailForm.aspx?m=83d3f620-6a9e-48fe-9def-d2bdba04b6d7&pr=766), (769) 232-1481

MISSISSIPPI'S SIX ELECTORS CAST THEIR ELECTORAL COLLEGE VOTES

Six electors selected by the Mississippi Republican Party cast their Electoral College votes today for President-Elect Donald Trump and Vice President-Elect Mike Pence.

Mississippi's electors included Patricia Ann Hebert, Joe F. Sanderson Jr., Charles Evers, J. Kelley Williams, William G. Yates Jr., and Wirt A. Yerger Jr.

###

Print Press Release



CERTIFICATE OF VOTES FOR PRESIDENT AND VICE-PRESIDENT

BE IT KNOWN that we, the undersigned electors for President and Vice-President, do hereby certify that the paragraph below styled "Paragraph One" contains a list of the ten (10) electoral votes of the State of Missouri given for President and the paragraph below styled "Paragraph Two" contains a list of the ten (10) electoral votes of the State of Missouri given for Vice-President.

Paragraph One:

VOTES FOR DONALD J. TRUMP FOR PRESIDENT OF THE UNITED STATES

Tim Dreste, 234 Argent Ave., St. Louis 63135	First District (1)
Janice Perdue DeWeese, 307 Dart Ln., Fenton 63026	Second District (1)
Hector Maldonado, 295 Cedar Breeze Dr., Sullivan 63080	Third District (1)
Sherry Kuttenkuler, 205 South St., Tipton 65081	Fourth District (1)
Sarah B. Miller (Sally), 835 W. 55th St., Kansas City 64113	Fifth District (1)
Condy O'Lauchles, 6984 Frances, Sheeping, Mo Thomas Loyd Brown, 1306 N.W. 47th St., Kansas City 61116 63468	Sixth District (1)
Cherry Warren, 11866 FR 1045, Purdy 65734	Seventh District (1)
Scott R. Clark, 1010 Greensferry Rd., Jackson 63755	Eighth District (1)
Al Rotskoff, 146 N. Mosely Rd., Creve Coeur 63141	At Large (1)
Casey Crawford, 509 S.E. Country Ln., Lee's Summit 64063	At Large (1)

Paragraph Two:

VOTES FOR MICHAEL R. PENCE FOR VICE-PRESIDENT OF THE UNITED STATES

Tim Dreste, 234 Argent Ave., St. Louis 63135	First District (1)
Janice Perdue DeWeese, 307 Dart Ln., Fenton 63026	Second District (1)
Hector Maldonado, 295 Cedar Breeze Dr., Sullivan 63080	Third District (1)
Sherry Kuttenkuler, 205 South St., Tipton 65081	Fourth District (1)
Sarah B. Miller (Sally), 835 W. 55th St., Kansas City 64113	Fifth District (1)
Condy O'Laughlin 6584 Frances, Shelbina Mo. Thomas Hoyd Brown, 13d6 N.W. 47th St., Kansas City 64116 63468	Sixth District (1)

Al Rotskoff, 146 N. Mosely Rd., Creve Coeur 63141 Casey Crawford, 509 S.E. Country Ln., Lee's Summit 64063

Cherry Warren, 11866 FR 1045, Purdy 65734

Scott R. Clark, 1010 Greensferry Rd., Jackson 63755

Seventh District (1)

Eighth District (1)

At Large (1)

At Large (1)

IN WITNESS WHEROF, we, the undersigned electors for President and Vice-President, hereunto set our hands and cause the Great Seal of the State of Missouri to be affixed at the City of Jefferson, State of Missouri, this 19th day of December, in the year of our Lord Two Thousand and Sixteen.

> 234 Argent Ave. St. Louis, MO 63135

307 Dart Ln. Fenton, MO 63026

295 Cedar Breeze Dr. Sullivan, MO 63080

205 South St. Tipton, MO 65081

835 W. 55th St. Kansas City, MO 64113

11866 FR 1045 Purdy, MO 65734

1010 Greensferry Rd. Jackson, MO 63755

146 N. Mosely Rd. Creve Coeur, MO 63141

509 S.E. Country Ln. Lee's Summit, MO 64063

ATTEST:

ason Kander Secretary of State

CERTIFICATE OF FILLING VACANCY

BE IT KNOWN that we, the electors for President and Vice-President, do hereby certify that upon the call of the roll at the meeting of the electors held on December 19th, 2016, at two o'clock in the afternoon, the day appointed by act of congress, a vacancy existed due to the absence of elector

Jon Brown

Pursuant to section 128.130 of the Missouri Revised Statutes, the electors present at the meeting appointed the following person to act as elector in his or her place:

Contre O'-raugh lin

IN WITNESS WHEROF, we, the undersigned electors for President and Vice-President, hereunto set our hands and cause the Great Seal of the State of Missouri to be affixed at the City of Jefferson, State of Missouri, this 19th day of December, in the year of our Lord Two Thousand and Sixteen.

Tim Droots

Tim Dreste

Janice Ferdue Kollinse

Janice Perdue De Weese

Hector Maldonado

Chame Vittanleylan

Camb D Millar (Calla)

Thomas Loyd Brown

Cherry Warren

Scott R. Clark

Al Rotskoff

Casev Crawford

ATTEST:

Jason Kander Secretary of State

MISSOURI ASSOCIATION OF COUNTIES





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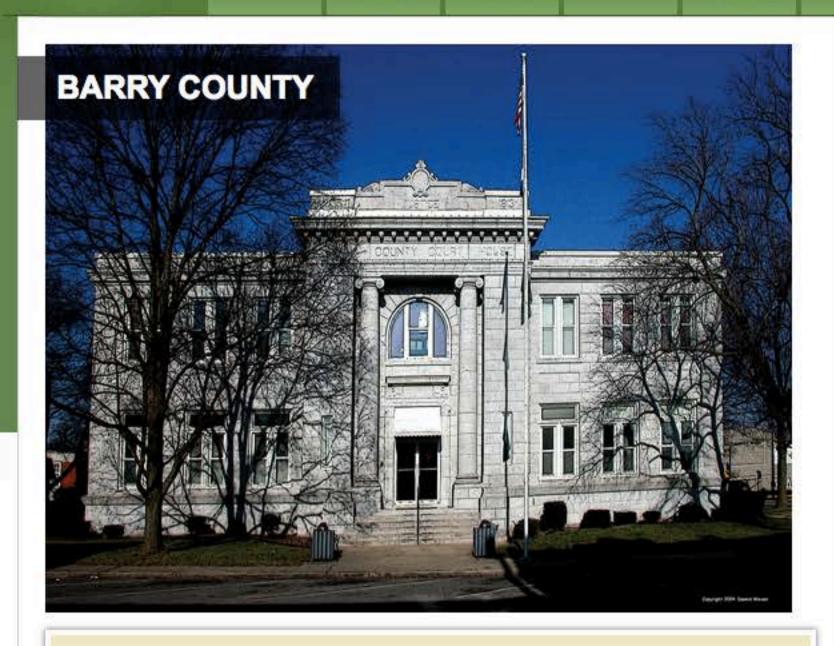
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US SENATE

Hector Maldonado

July 29, 2012 · 🚱





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Eric Wilber The fact is MOST of us are not happy with the choices of the 3 lamestream choices! Anyone who sees this please consider Hector Maldonado For Senate!

July 30, 2012 at 12:12am · 6 1



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Bonnie Hannum 😏 July 30, 2012 at 12:32am



Pack N Ship Etc Voting for Hector!

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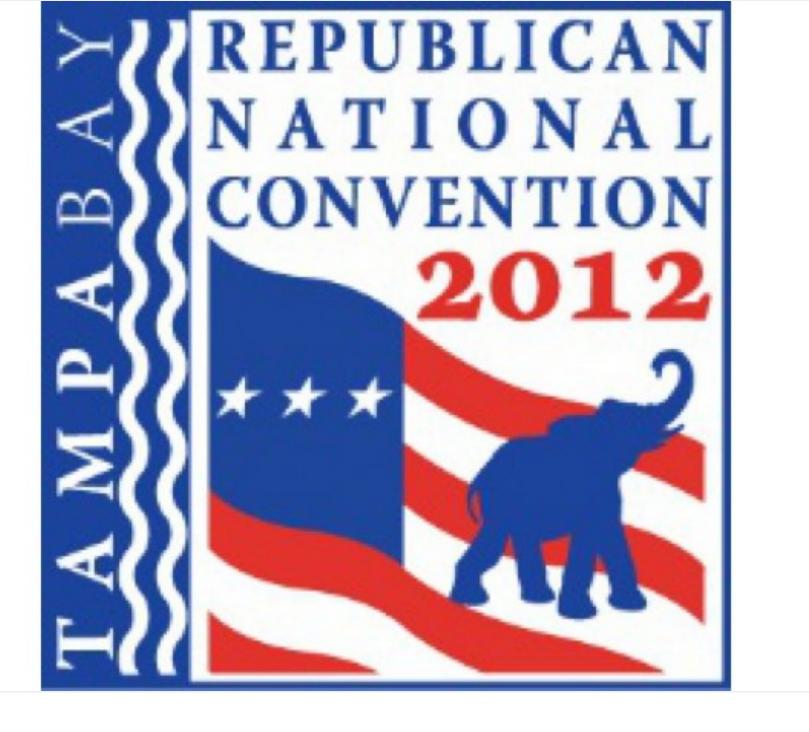
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Community Corner (/missouri/crevecoeur/around-town)

Creve Coeur Couple In Tampa For The Republican National Convention

Cheri Rotskoff, an alternate delegate from Creve Coeur Township, which includes parts of Maryland Heights, Ladue, and Olivette, will be in the center of the action with her husband Al.

By Gregg Palermo (Patch Staff) - (http://patch.com/users/gregg-palermo) August 27, 2012 3:11 pm ET (http://my.patch.com/article/5308750/edit)



There's a well-worn phrase in the world of politics that goes something like this:

"If you're explaining, you're not winning"

The mantra has been credited to Ronald Reagan and GOP strategist Lee Atwater over the years.

Creve Coeur resident Al Rotskoff used it last week in an interview with Patch before he and his wife Cheri, an alternate delegate to the Republican National Convention, left for Florida on Friday.

<u>The Official Republican National Convention Website</u>
(http://www.gopconvention2012.com/)

The convention, Al said, will be a chance for the GOP to get back on the offense after what has been a largely defensive week. Members of the party all the way up the ballot have been forced off message in the wake of U.S. . Mitt Romney, preparing for what may to date be the most important week of his political life, was part of the chorus calling for

Of the Akin comments, Roskoff, who voted as a member of the Electoral College in 2000, said he felt "shock and disdain that someone would say something so uninformed," and described Akin as "the poster boy for the fictional war on women." But with Akin staying away from Tampa, Roskoff hoped the party will be able to turn the focus back on the economy.

"The current administration does not understand how jobs are created. They're just plain wrong," he said.

The Rotskoffs have attended political conventions spanning the last 40 years, including GOP confabs in Kansas City (1976), New York City and Minneapolis (2008).

Al didn't identify a specific thing they were looking forward to this time around, besides dodging raindrops and hassles posed by a potential Hurricane Isaac. The impending weather has alread forced schedule changes at the convention. Monday's functions have already been largely curtailed. Pardon the pun but the week's schedule could best be considered fluid.

Patch hopes to bring you the Rotskoff's impressions while they're on the ground in Florida this week, including a photo or two along the way.

More from Creve Coeur Patch (/missouri/crevecoeur)

Operation Food Search and Warners' Warm-Up Collect 15,000 Winter Coats

(http://patch.com/missouri/universitycity/operation-food-search-warners-warm-collect-15-000-winter-coats)

Operation Food Search Moves to New Headquarters (http://patch.com/missouri/crevecoeur/operation-food-search-moves-new-headquarters)

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- 2. 5 Resolutions for Financial Health in 2017: Patch Money (http://patch.com/missouri/crevecoeur/s/fzbmi/5-resolutions-for-financial-health-in-2017-patchmoney)
- 3. William Christopher, Actor Who Played Father Mulcahy on 'MASH,' Dies at 84 (http://patch.com/missouri/crevecoeur/s/fzlg8/william-christopher-actor-who-played-father-mulcahy-on-mash-dies-at-84)

4.	'Bigly,' 'On Fleek,' 'Dadbod': 2017 List of Banished Words (http://patch.com/missouri/crevecoeur/s/fzlaj/bigly-on-fleek-dadbod-2017-list-of-banished-words)	
5.	Watch: Dakota Pipeline Protesters Hang Banner at U.S. Bank Stadium (http://patch.com/missouri/crevecoeur/s/fzlqi/watch-dakota-pipeline-protesters-hang-banner-u-s-bank-stadium)	
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Hear Ye, Hear Ye: Attend Your Local Electoral College Meeting On December 19



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1.medium.com/max/800/1*19CKZ5QSjw7myYkOt4d5Gw.png"

Despite the recent round of frenzy, the Electoral College will probably not subvert the will of their states' voters and block Trump. Still, who knows? It's a remote possibility. I'd probably peg the likelihood at something like 3%. Not great odds—but not zero.

I think it's therefore a good idea for all interested citizens to attend their state's Electoral College meeting on Monday, December 19. Even aside from the modicum of drama, it will make for a good civics lesson! Such meetings are open to the public and all take place at state capitol buildings or like facilities.

If there is any "drama" to be had, it will occur in states with Republican electors. And the notion of a "swing state" ceases to apply here, so what happens at the Austin, TX statehouse will be just as consequential as what happens at the Tallahassee, FL statehouse. In order for the proposed Electoral College coup to succeed, Republican electors need to be persuaded. We already know that at least one GOP elector, Mr. Suprun of Texas (who has retained a PR firm to handle all his media inquiries) has declared he won't vote for Trump. Will there be more? Maybe. Who knows?

In states where Hillary won, the outcome is already foreordained, so not quite as interesting, but even that would be worth observing if you're in the area. (Although, maybe one or two Bernie diehards will refuse to vote Hillary? It's possible.) For these reasons and more, I thought I'd compile

a list of GOP electors' meeting places, times, etc. I will personally be in Harrisburg, PA on Monday. Annoyingly, not every state has public information listed yet for when/where electors are supposed to meet.

Pennsylvania:

December 19, 2016

12:00 P.M. EST

Pennsylvania State Capitol—Chamber of the House of Representatives

501 N. 3rd St.

Harrisburg, PA 17120

Electoral College

Edit description www.dos.pa.gov

Ohio:

December 19, 2016

12:00 P.M. EST

The Ohio Statehouse

1 Capitol Square

Columbus, OH 43215

(Apparently you need a "ticket" but I'd dispute that, you can probably just waltz right in, or at least I would)

Register for the Meeting of the 54th Electoral College of Ohio

Edit description www.sos.state.oh.us

Displaying Invite-Elector College.pdf.

lowa:

December 19, 20 No time specified lowa State Capito (exact location unknown) 1007 E. Grand Av Des Moines, IA 50319

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Casey Crawford

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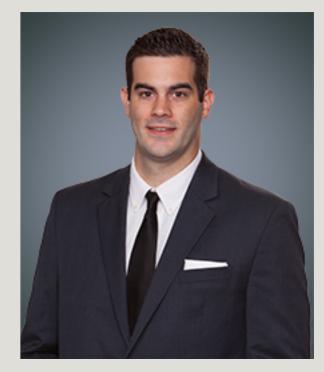
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Casey G. Crawford

Casey Crawford is a bright attorney with a diverse background, which enables him to zealously and effectively represent individuals and businesses alike. A former college athlete, Casey possesses a tireless work-ethic that seamlessly complements his law practice at Wallace Saunders.

Mr. Crawford's practice focuses on general tort litigation, with special emphasis on the defense of personal injury claims, commercial disputes, and construction defect claims.



Contact Casey
Overland Park, KS Office
913.752.5566
ccrawford@wallacesaunders.com
Print Attorney Bio



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Personal

Casey enjoys spending time with his wife (Jessica), daughter (Harper) and son (Jaxson). He also keeps active with team sports, a carryover from when he was named the 2005-2006 Gatorade Player of the Year in the State of Kansas.

Efficient • Outgoing • Determined

Education

University of Missouri-Kansas City School of Law, Juris Doctor

• UMKC Law Review Editorial Board – Comment Editor

Professional Practice

2015-Present: Wallace Saunders

• 2015-Present: Associate

- UMKC Law Review & Urban Lawyer Staff Member
- Dean's List
- Judge David T. & Hope Cavanaugh Scholarship Recipient
- Honorable Gene R. Martin Scholarship Recipient

University of Colorado – B.A., Political Science

- Men's Basketball Team Member 2007-2010
- 3 Time Big 12 Commissioner's Honor Roll
- 2010 2nd Team All-Big 12 Academics
- Phillips 66 Academic Player of the Week 2-16-2009

Wake Forest University

- Men's Basketball Team Member 2006-2007
- Atlantic Coast Conference Academic Honor Roll

Professional Accomplishments

2013-2014: Research Assistant for UMKC Law Professor Nancy Levit

Publications

• 2014-2015: Law Clerk

2013: Law Clerk - AT&T - St. Louis, MO

- Kwong v. Bloomberg, 46 Urb. Law. 188 (2014)
- Voter Competence, UMKC Law Review De Jure, Vol. 3 (Spring 2015)

Received CALI Award (top grade in class) – Construction Law Received Top Advocate in Appellate Advocacy II

Professional Licensure

Kansas

Missouri

U.S. District Court for the Western District of Missouri

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State Senate District: State Senate District 8	SE-N 08
Legislative District: State House District 34	LE-N 034
Supreme Court: Missouri Supreme Court	SUP

County Districts

District	District Code
Judicial District: Circuit Court Circuit 16	CC 16
County Legislative: 6Th County Legislative	CO 6
Township: Prairie Township	TW PR
City: City Of Lees Summit	CILS
Ward: Lees Summit Council District 4	WDLS04
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Appellate District: Western Appellate Court District	AC W
Judicial District - Non Partisan: Circuit Court Circuit 16	NP-CC 16



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- From Kansas City, Missouri





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Casey Crawford

November 18, 2016 · 🚱

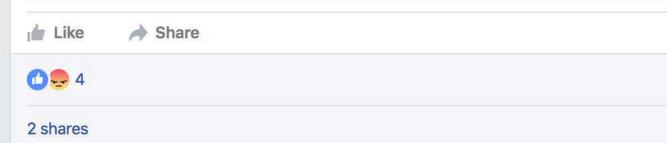
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Arizona's presidential electors being harassed, urged not to cast vote for Trump

Arizona's presidential electors are reportedly being hit by a flood of emails and phone calls demanding they defy the voters in their state and choose Hillary...

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CHECK YOUR VOTER REGISTRATION

Yes, CASEY CRAWFORD is registered at 509 SE COUNTRY, LEES SUMMIT, 64063.

Your precinct is PR-43.A

Your polling place could not be displayed because your next election is more than six weeks from now. Please check back closer to the election date.

Do Another Search

MISSOURI ASSOCIATION OF COUNTIES



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ASSOCIATE COMMISSIONER

WAYNE HENDRIX 700 MAIN ST STE 2 CASSVILLE MO 65625 417-847-4628

ASSOCIATE COMMISSIONER

GARY SHAD 700 MAIN ST STE 2 CASSVILLE MO 65625 417-847-4628

Events

2017 Calendar

2017 Important Dates for Missouri County Government .pdf

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2017 MAC Resolutions

MAC Resolutions 2017 .pdf

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< Return to Voter Home

My Districts

Federal / State Districts

District	District Code
Federal: Federal	FED
Congressional District: Us Representative District 6	CN-N 6
State Senate District: State Senate District 18	SE-N 18
Legislative District: State House District 5	LE-N 005
Supreme Court: Missouri Supreme Court	SUP

County Districts

District	District Code
Judicial District: Circuit Court Circuit 41	CC 41
Circuit Court: Shelby County	CIR 41
Commission: Western County Commission Dist	CO 1
County At-Large: Shelby County At-Large	CAL
Township: West Salt River Township	TW 10
School: Shelby Co R4 School	SC 4
Fire: Shelbina Fire Protection District	FR 2
Water: Pwsd#1 Shelby County	WT 10
Ambulance: Salt River Ambulance	AM 10
Ambulance Subdistrict: Salt River Ambulance Subdistrict 5	AM 5
Nursing Home District: Salt River Nursing Home	NH 10
Nursing Home Subdistrict: Salt River Nursing Home Subdistrict 5	NHSS 5
Road: Shelbina Special Road Dist	RD 2
Health District: Shelby County Health Dept	HE 1
Appellate District: Eastern Appellate Court District	AC E

JASON KANDER

MISSOURI

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Publications & Forms



SECRETARY OF STATE

LECTIONS & VOTING



Register to Vote

How to Vote

Where Do I Vote?

CHECK YOUR VOTER REGISTRATION

Yes, CINDY O'LAUGHLIN is registered at 6584 FRANCES, SHELBINA, 63468.

Your precinct is 7.18

Your polling place could not be displayed because your next election is more than six weeks from now. Please check back closer to the election date.

Do Another Search













State



Records



Administrative Publications & Forms



< Return to Voter Home

My Districts

Federal / State Districts

District	District Code
Federal: Federal	FED
Congressional District: Us Representative District 3	CN-N 3
State Senate District: State Senate District 26	SE-N 26
Legislative District: State House District 119	LE-N 119
Supreme Court: Missouri Supreme Court	SUP

County Districts

District	District Code
Judicial District: Circuit Court Circuit 20	CC 20
Commission: Commissioner 2	CO4902
Township: Boone Township	TW0003
School: Sullivan C2 School	SC2002
Junior College District: East Central	JC3401
Fire: Sullivan Fire	FR3207
Library District: Scenic Regional	LI3601
Road: Franklin Common 1 Road	RD4701
Developmental Disability Svs: Board Of Handicapped	DD 1
Appellate District: Eastern Appellate Court District	AC E



Hector Maldonado

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DO YOU KNOW HECTOR?

To see what he shares with friends, send him a friend request.





- Works at American Rebel
- Works at NFIB
- Worked at Army National Guard
- Studied Political Philosphy at California State University, San Bernardino
- Lives in St. Louis
- From Los Angeles, California















Posts from 2012







Made 175 new friends



Hector Maldonado

November 17, 2012 · Twitter · 🚱

http://t.co/j5BDZZBZ

Obama team makes it official: Budget deficit hits record. By a lot.

The Obama administration has released new deficit numbers, and they are not pretty. The deficit for Fiscal Year 2009, which ended Sept. 30, came in at a record...

CONTENT.USATODAY.COM











Investor Protection





Records





< Return to Voter Home

My Districts

Federal / State Districts

District	District Code
Federal: Federal	FED
Congressional District: Us Representative District 2	CN-N 2
State Senate District: State Senate District 15	SE-N 15
Legislative District: State House District 96	LE-N 096
Supreme Court: Missouri Supreme Court	SUP

County Districts

District	District Code
Judicial District: Circuit Court Circuit 21	CC 21
County Council - New: County Council District 3	CC 003
County At-Large: St Louis County	CAL
Township: Bonhomme Township	BON
Municipality: City Of Fenton	MN 030
Ward: City Of Fenton Ward 2	03002
School: Lindbergh Schools	011
Junior College District: St. Louis Community College Subdistrict #4	JC 004
Special School District: Special School District 7	007
Fire: Fenton Fire Protection District	FD 008
Library District: St. Louis County Library	LIB 000
Sewer: Metropolitan St. Louis Sewer District	000
Appellate District: Eastern Appellate Court District	AC E
Judicial District - Non Partisan: Circuit Court Circuit 21	NP-CC 21

JASON KANDER



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MISSOURI SECRETARY OF STATE

ELECTIONS & VOTING



Register to Vote

How to Vote

Where Do I Vote?

CHECK YOUR VOTER REGISTRATION

Yes, JANICE DEWEESE is registered at 307 DART, FENTON, 63026.

Your precinct is BON.BON.038

Your polling place could not be displayed because your next election is more than six weeks from now. Please check back closer to the election date.

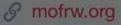
Do Another Search



MoFRW

@MoFRW

The Missouri Federation of Republican Women has 51 clubs throughout Missouri. We host political events, register voters, and educate the public on issues.



iii Joined January 2016





MoFRW 1st Vice President, Janice DeWeese, introduced US Senator David Perdue, of Georgia, at an Eric Greitens event this morning



RETWEETS 4

LIKES 4









David Perdue



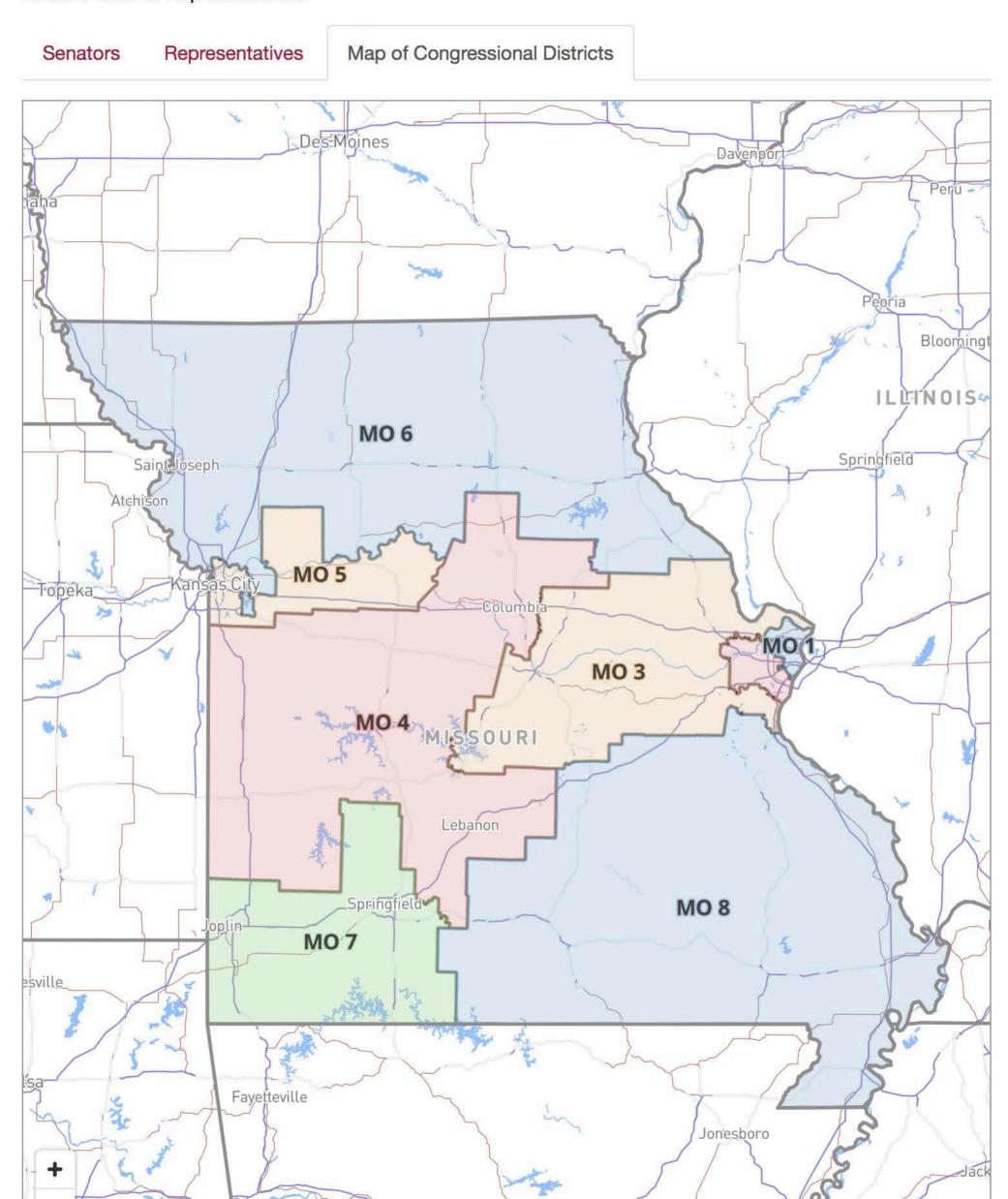






Missouri

Missouri is a U.S. state with **two** senators in the United States Senate and **eight** representatives in the United States House of Representatives.



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LOGIN | REGISTE

Missouri electors vote for Trump

Photo by Julie Smith /Fulton Sun.

December 20th, 2016 by Associated Press in Local News Read Time: 2 mins.











All 10 of Missouri's electors cast their votes Monday for Republican President-elect Donald Trump, affirming the results of the statewide election.

The vote typically is a sleepy affair, but it was closely watched this year following pressure nationwide for electors to abandon Trump. Dozens of protesters gathered at the Capitol to call on electors not to vote for the unconventional president-elect, who lost the national popular vote but won roughly 57 percent of the vote in Missouri.

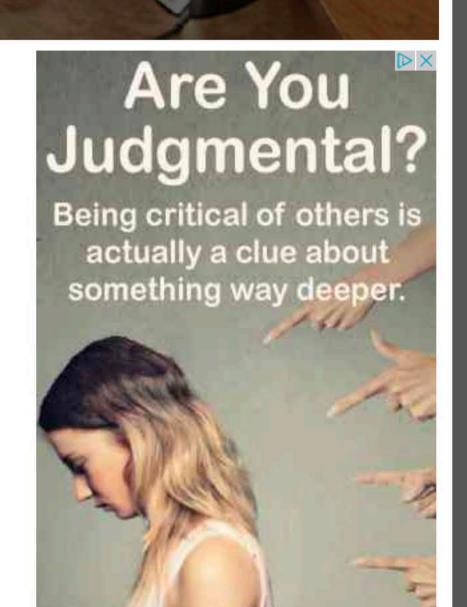
An opponent watching the Missouri vote in a final act of desperation asked electors to "respect the will of the people." Others had gathered outside to wave mock campaign signs that read "Trump, Putin 2016" and held posters asking electors to vote their conscience.

Jenn Wiggs, an artist from Columbia, said she came to protest out of "desperation" and "total disgust."

Trump backers came, too. Columbia resident Tom Mendenhall wore a Trump hat, scarf and array of buttons. He told the Associated Press he came to Jefferson City to "witness history."

Trump supporter Ed Martin, who said he's president of the late Phyllis Schlafly's Eagle Forum Fund, spoke to electors before the vote during a private lunch downtown.

Pleas for any candidate but Trump ultimately had no effect on Missouri electors, who were not legally required to vote for the state's pick. They voted without discussion and cast their ballots within minutes.



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HOME

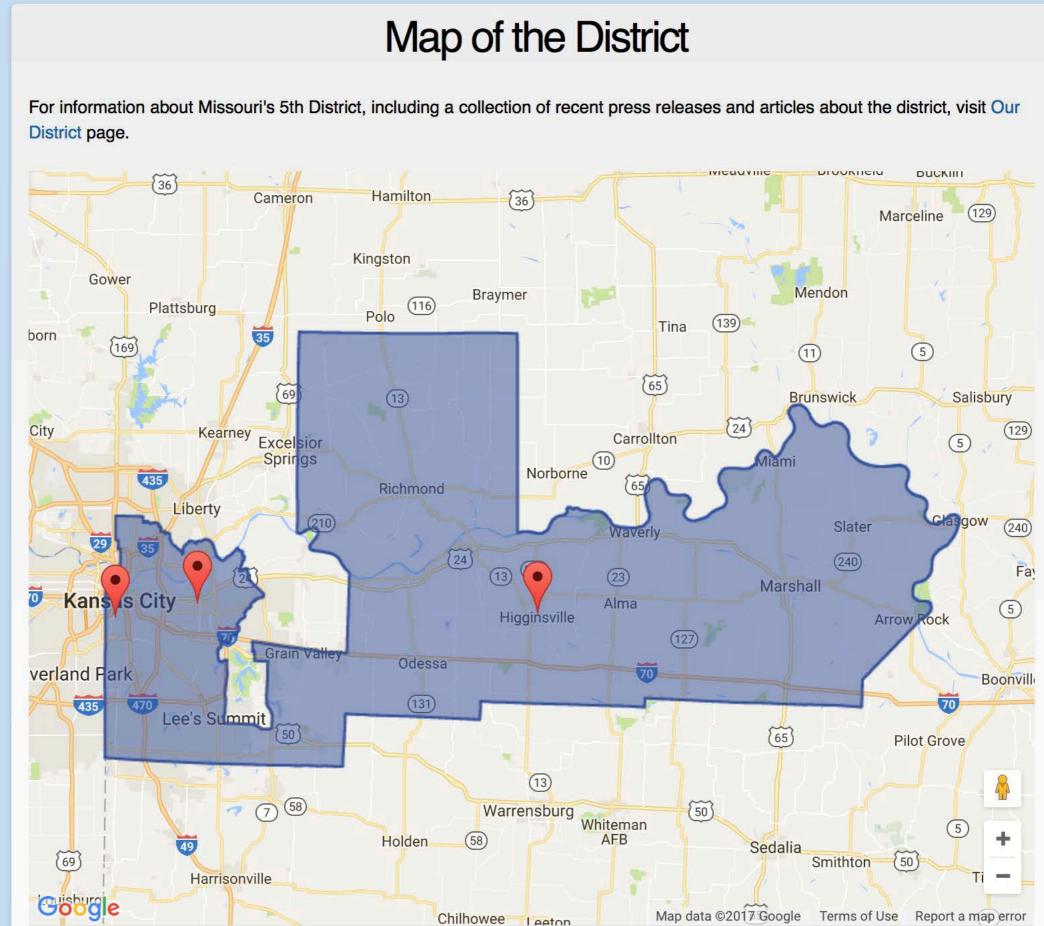


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CONTACT CONGRESSMAN CLEAVER

Welcome to the on-line office for Congressman Emanuel Cleaver II. Please visit the Contact Me page to contact the



OFFICE LOCATIONS

WASHINGTON, DC OFFICE



Sally Miller for State House

@sallymillerforstatehouse

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Posts See All



Sally Miller for State House

November 10, 2012 · 🚱

Thanks to all who displayed a yard sign. We appreciate your support! In Kansas City, we have two weeks after an election to take down yard signs before candidates face fines. Yes. Really.

So, we have been driving the district taking down signs that are still up. If yours is still in your yard, please take it down. We will be making one more sweep next week.

Thank you so much for "flying the flag"! You guys are the best!!

http://www.kmbc.com/.../1166.../17321954/-/rkuiruz/-/index.html...





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Elections



< Back to Search

Showing Results For:

1010 GREENSFERRY RD **JACKSON MO 63755**

Not your Address? Revise your search.

Election Resources

Your county's election is not available at this time. Please try again later or contact your Local Election Authority.

Jurisdiction Information

County: Cape Girardeau

Precinct: 24 - BYRD 4 PRECINCT

Split: 01



View My Districts











State









& Forms

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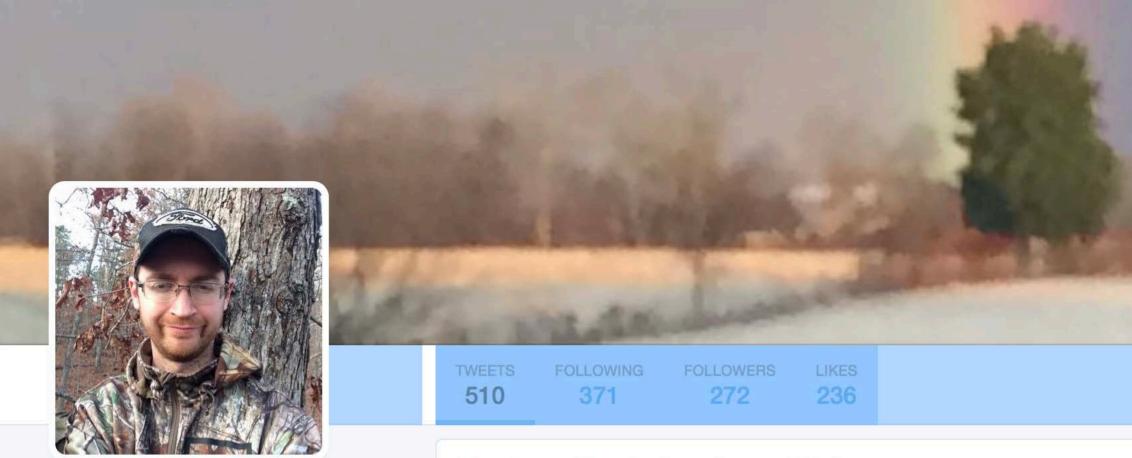
My Districts

Federal / State Districts

District	District Code
Federal: Federal	FED
Congressional District: Us Representative District 8	CN-N 8
State Senate District: State Senate District 27	SE-N 27
Legislative District: State House District 146	LE-N 146
Supreme Court: Missouri Supreme Court	SUP

County Districts

District	District Code
Judicial District: Circuit Court Circuit 32	CC 32
Commission: Commission District 1	CO 1
Committee: Byrd Township Ward 4	TS 06
City: Jackson City	CI 02
Ward: Jackson City - Ward 4	WD 12
School: Jackson School	SC 02
Fire: Jackson City Fire	FR 05
Water: Jackson City Water	WT 02
Library District: Regional Library District	LI 3
Road: Cape County Road District	RD 29
Appellate District: Eastern Appellate Court District	AC E



Scott R Clark

@SRC_GOP

Republican, hunter, card player, movie watcher & traveler. 'Learn from the past, live in the present, look forward to the future.'

iii Joined April 2012

88 Photos and videos







Scott R Clark Retweeted



MO Republican Party @MissouriGOP · 28 Dec 2016 Greitens names new director of @MoAgriculture: clk.gop/my8ruV #moleg





Scott R Clark @SRC GOP · 19 Dec 2016

Proud and humbled to be able to cast a vote for the next #POTUS @realDonaldTrump



Brittany Wagner @B_M_Wagner It's official! Missouri's 10 electoral votes go to @realDonaldTrump!#ElectoralCollege



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Sherry Kuttenkuler

connections

Attended Christian Disciples of Christ

Hepler, Kansas

Education Christian Disciples of Christ

View Sherry's full profile. It's free!

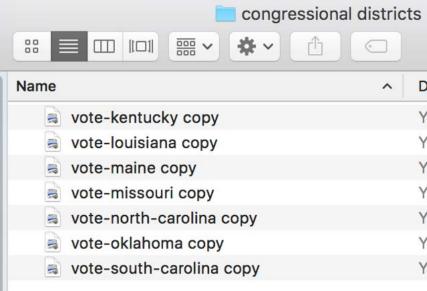
Your colleagues, classmates, and 400 million other professionals are on LinkedIn.

View Sherry's Full Profile

Education

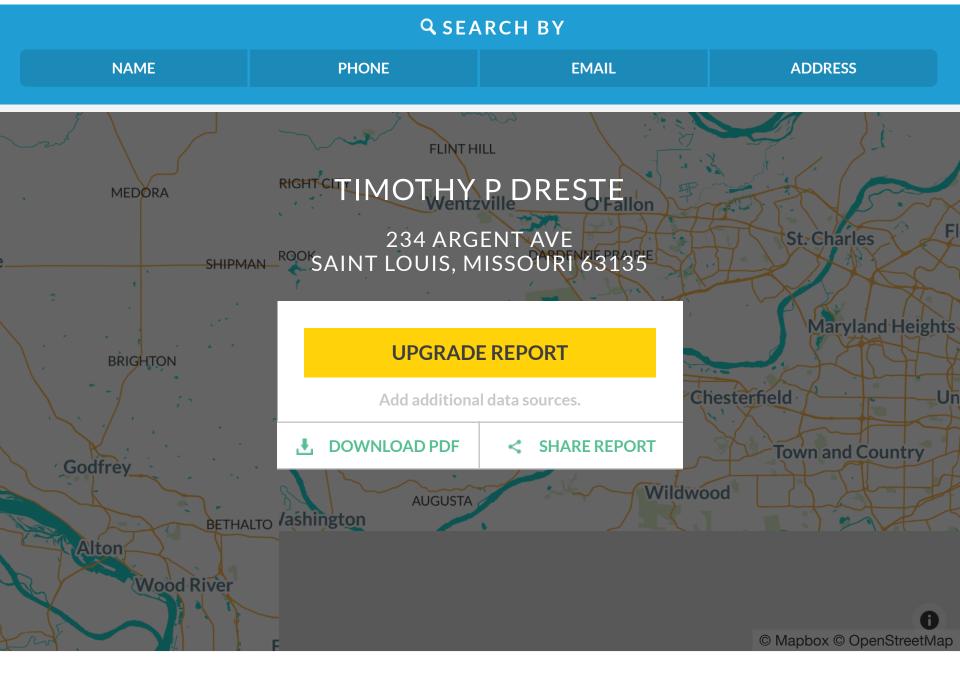
Christian Disciples of Christ

1994 - 2012









A PERSONAL INFORMATION







Flag As Inaccurate

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PERSONAL INFORMATION

This section contains known aliases, birth information, and potential imposters gleaned from public records.



Timothy

P

Dreste

BIRTH INFORMATION

Age

Birth Date

57

Jan. 31, 1959

Astrological Sign

Aquarius

A KNOWN ALIASES

Tim P Dreste

Remove

T Dreste

Remove

Timothy Paul Dreste

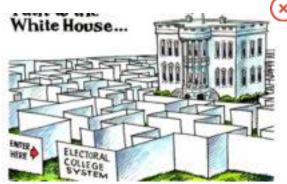
Remove

Dreste Tim

Remove

POSSIBLE PHOTOS



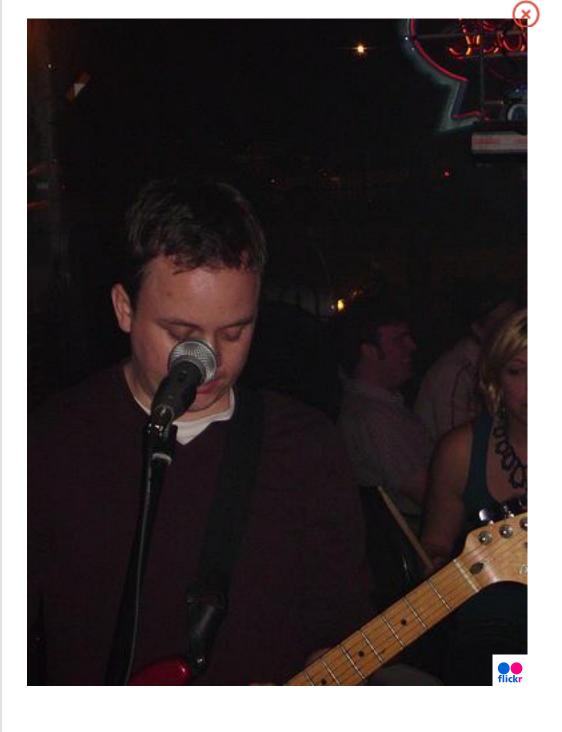








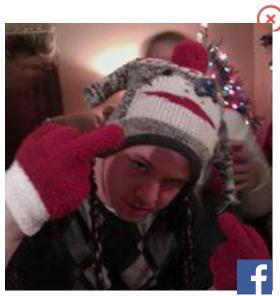












■ JOBS

Company (Industry) Micr Automation

Customer Engineer

Jan. 1, 1999 - Dec. 31, 2001

Remove

Company (Industry)

Banctec

Customer Engineer

Jan. 1, 2001 - Dec. 31, 2003

Remove

Company (Industry)

Breakwater Security

Sr. Security Analyst

Jan. 1, 2005 - Dec. 31, 2006

Remove

Company (Industry)

Capita Technologies (Information Technology And Services)

Chief Technical Consultant

Jan. 1, 2006 - Dec. 31, 2006

Remove

Company (Industry)

Avalon Technology (Information Technology And Services)

Sr .Security Analyst

Jan. 1, 2007 - Dec. 31, 2008

Remove

Company (Industry)

Stg Inc. (Information Technology And Services)

Security Analyst

Jan. 1, 2007 - Dec. 31, 2008

Remove

Company (Industry)		
Dreste Tim (Unclassified)		
⊗ Remove		
Company (Industry)		
(Hospital And Medical Service Plans)		
Coo		
⊗ Remove		
O Remove		
Company (Industry)		
Sales Development Associates (Marketing And Advertising)		
Database Administrator And Telemarketing Supervisor		
⊗ Remove		
EDUCATION		

School/University Illinois Central College

Law Enforcement

Jan. 1, 1979 - Dec. 31, 1980

Remove

POSSIBLE RELATIVES

Timothy P Dreste's Relatives



Kathleen Jo Dreste

Age: 55

Location: Washington, Illinois

VIEW REPORT

Show Relatives 👽



Remove



Kathleen Ann Dreste

Age: 60

Location: Saint Louis, Missouri

VIEW REPORT

Show Relatives 👽



Remove



Janet K Dreste

VIEW REPORT





VIEW REPORT

Remove



Mark D Dreste

Age: 52

Location: Saint Louis, Missouri

VIEW REPORT

Show Relatives •



Remove

% RELATED LINKS

Linkedin

http://www.linkedin.com/in/tim-dreste-62605b4

Justia

http://dockets.justia.com/docket/court-caedce/case_no-2:2007cv02182/case_id-168629/

Whitepages

https://whitepages.plus/n/Timothy_Dreste/St_louis_MO/4d0be86efb027ed1639cf0c65d27cfc7 https://whitepages.plus/n/Timothy_Dreste/St_louis_MO/627a414b04fbe3d2095aa4f6f4007e72



0 Comments

Add a comment to the **Personal Information Section** of this report.

Any comment below was authored and submitted by a TruthFinder user. TruthFinder did not author or develop this comment, does not express a view as to whether the comment is accurate or truthful, and does not warrant or represent that the comment is accurate or truthful. If you believe a comment is not accurate, not truthful, or otherwise violates the User Comments Terms of Use, please contact TruthFinder at SUPPORT@TRUTHFINDER.COM so the comment may be evaluated for possible removal.



LEAVE A COMMENT

Currently no comments.

PREMIUM DATA

Premium Data for Timothy P Dreste may be available and could include **potentially sensitive information**. In order to view Premium Data, you must first authorize this access.

Premium Reports May Contain

Bankruptcy Filings, Properties Owned, Civil Judgments, Tax Liens, Foreclosures, Corporate Affiliations, Water Craft Owned, Voter Registration, Education Information, Professional Licenses, Hunting/Fishing Permits, Weapons Permits, Prior Addresses, Auto Accident Information, Information on Neighbors, Business Associates, Additional Phone Numbers, And More!!

VIEW MORE INFORMATION

CONTACT INFORMATION

This section contains phone numbers, previous phone number and email addresses associated with Timothy P Dreste.



& POSSIBLE PHONE NUMBERS



Phone Number

(314) 427-0173

VIEW PHONE

Line Type

LandLine

Prepaid

No

Carrier Location

Ladue, MO 63124

Connected

No





Phone Number

(314) 429-1990

VIEW PHONE

LandLine Prepaid No **Carrier Location** Ladue, MO 63124 Connected No Remove verizon Phone Number (703) 836-5495 **VIEW PHONE** Line Type LandLine Prepaid No **Carrier Location** Washington Zone 8, Alexandria-Arlington, VA 22201 Connected No Remove ☑ POSSIBLE EMAILS

Line Type

Email Address tdreste@comcast.net

VIEW EMAIL DETAILS

Remove

Email Address tdreste@ix.netcom.com

VIEW EMAIL DETAILS

Remove

Email Address tdreste@sprintpcs.com

VIEW EMAIL DETAILS

Remove

Email Address tim@dreste.com

VIEW EMAIL DETAILS

Remove

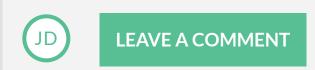


Comments

O Comments

Add a comment to the **Contact Information Section** of this report.

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Currently no comments.

GET ADDITIONAL CONTACT INFORMATION

Some data on Timothy Dreste requires special approval before you can see it.

Click on the button below now to authorize access to all Premium Data.

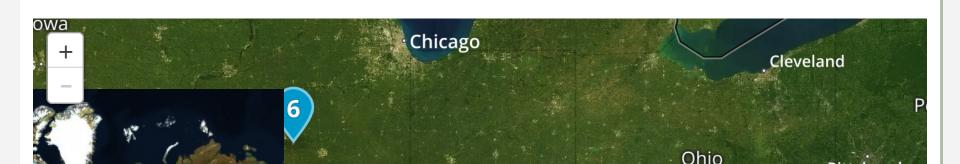
Premium Data Can Reveal:

- Past Phone Numbers
- Alternative Phone Numbers
- Voter Registration
- Additional Email Addresses
- Neighbors
- Past Addresses

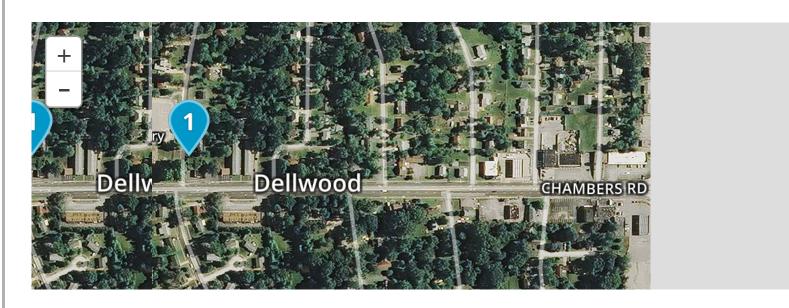
VIEW MORE INFORMATION!

LOCATION HISTORY

This section includes all of the locations related to this person. Locations listed may include current residence, past residences, and places of work.







Jan. 1, 2002 - Oct. 31, 2016

234 Argent Ave Saint Louis, Missouri 63135

100 Sex Offenders Nearby

Usage

Residential

Is Deliverable?

Yes

Is Receiving Mail?

Yes

VIEW LOCATION REPORT



0



0

Nov. 1, 2003 - May 31, 2008

8023 Cler Ave Saint Louis, Missouri 63114

100 Sex Offenders Nearby

Usage

Residential

Is Deliverable?

Yes

Is Receiving Mail?

Yes

VIEW LOCATION REPORT





May 1, 2003 - Mar. 31, 2005

2868 Fort Scott Dr Arlington, Virginia 22202

Usage

Residential

Is Deliverable?

Yes

Is Receiving Mail?

Yes

VIEW LOCATION REPORT





0

Apr. 1, 1984 - Mar. 31, 2003

8021 Cler Ave Saint Louis, Missouri 63114

100 Sex Offenders Nearby

Usage

Residential

Is Deliverable?

Yes

VIEW LOCATION REPORT





0

Oct. 1, 1988 - Dec. 31, 1992

902 Airport Rd Saint Louis, Missouri 63135

100 Sex Offenders Nearby

Usage

Commercial

Is Deliverable?

Yes

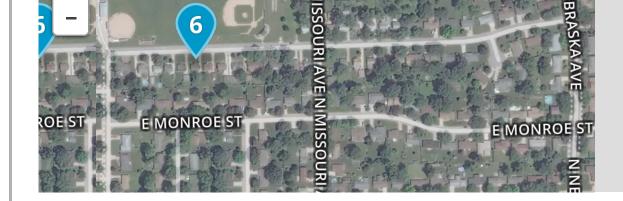
Is Receiving Mail?

Yes

VIEW LOCATION REPORT







Mar. 1, 1979 - Mar. 31, 1979

740 E Kay St Morton, Illinois 61550

47 Sex Offenders Nearby

Usage

Residential

Is Deliverable?

Yes

Is Receiving Mail?

Yes

VIEW LOCATION REPORT





Comments

0 Comments

Add a comment to the **Location Information Section** of this report.

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LEAVE A COMMENT

Currently no comments.

CRIMINAL RECORDS

DISCLAIMER: The criminal record information contained in our reports may not be 100% accurate or complete. This is because the information is pulled from records maintained by government agencies and the information contained in those records may not be 100% accurate or complete. Please use this information as a starting point for your own due diligence and investigation.

A Criminal Search for Timothy P Dreste (57 years old) in Saint Louis Missouri 63135 returned the following possible likely results:



LIKELY CRIMINAL RECORD MATCHES

Match Rating Based On:

First Name, Middle Name, Last Name, and DOB,

First and Last Name

Timothy Paul Dreste

Case Filing Date

November 25, 1991

Location/County

Criminal Court

Charge/Offense

Trespass 1st Degree

MINIMIZE DETAILS

Personal Details

First Name

Timothy

Middle Name Paul
Last Name Dreste
Address 8021 Cler Ave, Saint Louis, MO 63114-4608
State Missouri
Case Number 22919-08251B
Offense Details
Offense Date November 25, 1991
Offense Description Trespass 1st Degree
Case Type Criminal/infract
Counts 1
Arrest Details
Arresting Agency St Louis Pd-Prisoner Proc
Court & Sentencing Details
Court Description 22nd Judicial Circuit
Court Classification Misdemeanor Class B
Court Offense

Trespass 1st Degree **Court Disposition Date** June 7, 1993 Jail Min: 10 Days

First and Last Name

Timothy P Dreste

Case Filing Date

July 2, 1990

Location/County

MO Admin Office Of Courts

Charge/Offense

Trespass 1st Degree { Misdemeanor B Rsmo: 569.140 }(1)



Update October 12, 1990: Tried By Court - Guilty

VIEW DETAILS ()

We uncovered **2** possible criminal records, that match Timothy's First, Middle and Last names, but may not match Date of birth

SHOW POSSIBLE MATCHES

First Name, Middle Name, Last Name, and DOB,



Comments

O Comments

Add a comment to the **Criminal Records Section** of this report.

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this comment, does not express a view as to whether the comment is accurate or truthful, and does not warrant or represent that the comment is accurate or truthful. If you believe a comment is not accurate, not truthful, or otherwise violates the User Comments Terms of Use, please contact TruthFinder at SUPPORT@TRUTHFINDER.COM so the comment may be evaluated for possible removal.



LEAVE A COMMENT

Currently no comments.

SEX OFFENDER INFORMATION

This section displays the names, locations, and offenses of registered sex offenders living in close proximity to the locations associated with the subject of this report.

SELECT AN ADDRESS FROM TIMOTHY'S LOCATION HISTORY

234 Argent Ave, Saint Louis, MO 63135-2202



LOADING...





0 Comments

Add a comment to the **Sex Offenders Section** of this report.

Any comment below was authored and submitted by a TruthFinder user. TruthFinder did not author or develop this comment, does not express a view as to whether the comment is accurate or truthful, and does not warrant

or represent that the comment is accurate or truthful. If you believe a comment is not accurate, not truthful, or otherwise violates the User Comments Terms of Use, please contact TruthFinder at SUPPORT@TRUTHFINDER.COM so the comment may be evaluated for possible removal.



LEAVE A COMMENT

Currently no comments.

UNCOVER VALUABLE ASSETS OWNED BY TIMOTHY DRESTE NOW

Asset information can only be revealed after you give authorization. Click the button below to access all available information on Timothy Dreste's assets.

VIEW MORE INFORMATION!

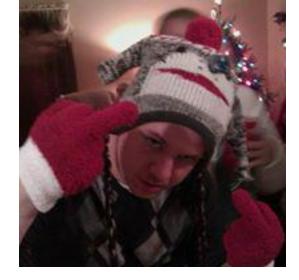
SOCIAL PROFILES

This section contains possible online profiles and articles for the subject of this report.



Tim Dreste

tim.dreste



Usernames:

tim.dreste

VIEW FACEBOOK PROFILE



1596753890@face...



RELATED URLS

http://www.facebook.com/t...

⊗ Remove this Facebook profile



Tim Dreste

http://www.link...

Current Job:

Database Administrator and Telemarketing Supervisor at Sales Development Associates (since 2009)

Previous Jobs:

Sr .Security Analyst at Avalon Technology (2007-2008)

Security Analyst at STG Inc. (2007-2008)

Chief Technical Consultant at Capita Technologies (2006-2006)

Sr. Security Analyst at Breakwater Security (2005-2006)

Customer Engineer at BancTec (2001-2003)

Customer Engineer at MICR Automation (1999-2001)		
Education:		
Law Enforcement, Law Enforcement from Illinois Central College (1979-1980)		
Addresses:		
VIEW LINKEDIN PROFILE		
USER'S ID		
4/5b/626@linked		
12067518@linked		
#62605b4@linked		
ABOUT ME		
IT Security Specialist		
INTEREST		
consulting offers		
expertise requests		
reference requests		
getting back in touch		
GROUPS		
The Political Coffeehouse		
The Economy		
SKILLS		
Vulnerability Assessment		
Network Security		
Information Assurance		
Computer Security		
HIPAA		
FISMA Security		
Julian		

Integration
Integration Troubleshooting
System Administration
Project Management
<u>More</u>
CERTIFICATIONS
Linux
VOLUNTEERING
Committeeman, Ferguson Township at St Louis County Republican Central Committee
⊗ Remove this LinkedIn profile
USA BUSINESS CONTACT
Dreste Tim
Current Job:
Addresses: Cler Avenue, St Louis, MO 63114
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Dec 2, 2016 Tim, Dreste, 1, tdrestesprintpcscom tdrestecomcastnet tdreste1spintpcs com, 314 524-6957, 234 Argent Avenue St Louis, MO 63135

XTITLE

Contact your MO Electoral College members now: Here&39;s how

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Timothy Paul Dreste

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October 15, 2007



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Currently no comments.

REVEAL ALL KNOWN BUSINESS INFORMATION NOW

Some information is so sensitive we can only reveal it on a per report basis. Click the button below to reveal all available business information on Timothy Dreste.

Premium Business Data may include businesses that Timothy Dreste owns and possible business associates.

VIEW MORE INFORMATION!

LICENSES

This section contains possible licenses that we have found for Timothy P Dreste. Possible data may include FAA pilot licenses and DEA licenses for prescribing controlled pharmaceuticals.



LICENSES

Our extensive public records search did not uncover professional licenses for Timothy P Dreste.

There are 618,660 FAA certified pilots in the U.S.

That's less than 0.2% of the population.

So, if FAA license information doesn't show up here, Timothy P Dreste may not have one.



But remember, we refresh our databases every 24 hours. If we uncover new licenses for Timothy P Dreste, we can add that data ASAP!



Comments

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LEAVE A COMMENT

Currently no comments.

UNCOVER TIMOTHY DRESTE'S BANKRUPTCIES, JUDGMENTS, AND **LIENS**

Is Timothy Dreste trustworthy? Bankruptcies, judgments, and liens can only be revealed after you give authorization. In just moments, you can discover if Timothy Dreste may be irresponsible. Click the button below to access available bankruptcy information.

VIEW MORE INFORMATION!

HOROSCOPES

TruthFinder was originally created as a resource for online daters to learn more about someone before meeting up in person. Now, our membership base is much broader, but we wanted to keep this information in our reports for the folks out there who still use us to "Check their mate." Our unique horoscope compatibility chart is a fun, creative way to see what the stars have to say about your love life!

TIMOTHY P DRESTE IS AN AQUARIUS



Aquarius Personality:

This air sign is highly imaginative and deeply intuitive. Aquarians are creative intellectuals who are driven by an inner moral compass. These signs have a passion for social justice, and they are always looking for ways to give back and help others. This sign is the ultimate humanitarian and will always think on a global scale. Getting an Aquarius to focus on just one person may be a challenge, as these signs never want to feel weighed down by heavy feelings.

Test your compatibility against others to see where your love truly stands. Try it out below and see some shocking results.

Confirm their sign is correct and select your sign from the list. Then click the "See Results" button. **Timothy P Dreste** Aquarius ▼ **Check Compatibility With:** Aquarius -Don't Know Your Sign? 2016-12-31 Birthday: **SEE RESULTS**



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Federal: Federal	FED
Congressional District: Us Representative District 1	CN-N 1
State Senate District: State Senate District 14	SE-N 14
Legislative District: State House District 74	LE-N 074
Supreme Court: Missouri Supreme Court	SUP

County Districts

District	District Code
Judicial District: Circuit Court Circuit 21	CC 21
County Council - New: County Council District 1	CC 001
County At-Large: St Louis County	CAL
Township: Ferguson Township	FER
Municipality: City Of Ferguson	MN 031
Ward: City Of Ferguson Ward 1	03101
School: Ferguson Reorganized R-2 School District	005
Junior College District: St. Louis Community College Subdistrict #1	JC 001
Special School District: Special School District 4	004
Library District: Ferguson Library	LIB 002
Sewer: Metropolitan St. Louis Sewer District	000
Appellate District: Eastern Appellate Court District	AC E
Judicial District - Non Partisan: Circuit Court Circuit 21	NP-CC 21

JASON KANDER

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ELECTIONS & VOTING



Register to Vote

CHECK YOUR VOTER REGISTRATION

Yes, TIMOTHY DRESTE is registered at 234 ARGENT, ST LOUIS, 63135.

Your precinct is FER.FER.035

Your polling place could not be displayed because your next election is more than six weeks from now. Please check back closer to the election date.

















Tim Dreste Was Found Liable Friday, December 2, 2016 for Inciting Violence Against Abortion Providers. Now He's in the Electoral College

Posted By Danny Wicentowski on Fri, Dec 2, 2016 at 6:54 am



Courtesy of Planned Parenthood

Anti-abortion activists regularly protest outside Missouri's only abortion-providing clinic.

In less than three weeks, Republican and Democrat electors across the country will gather in their state capitals and make their formal — though symbolic votes for president and vice president. Among them in Missouri will be Republican elector Tim Dreste, a former militia organizer and anti-abortion absolutist who in 1999 was found liable in federal court for making threats to "kill, assault or do bodily harm" to abortion providers.

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Dreste was the subject of a lengthy *Riverfront Times* cover story published the same year as his conviction, in which then-staff writer Melinda Roth documented the St. Louis native's path of zealotry in the 1980s and 1990s.

Dreste's fervor ultimately crossed a line, entering territory outside the bounds of the First Amendment.

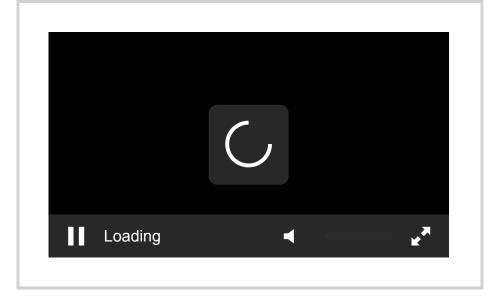
From Roth's cover story:

The defendants, two anti-abortion groups and 12 individuals, including Dreste, were not charged with any of the 40 clinic bombings or seven murders that took place in the U.S. between 1983 and 1999, but they were accused by two abortion-rights groups and four abortion providers of setting off some of that violence through the use of Web sites, literature and posters. Dreste, in the middle of it all, was implicated in highly coordinated campaigns and conspiracies that the court found to be "true threats" not sheltered by the First Amendment.

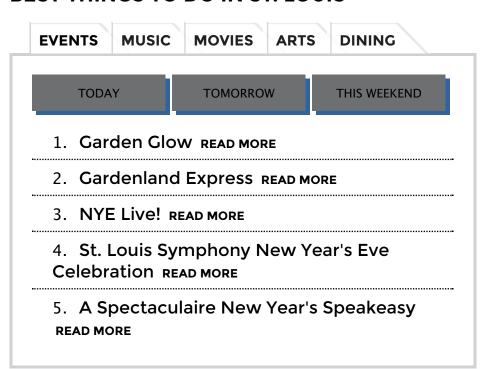
The accusations amounted to charges that Dreste had taken part in a conspiracy to threaten the lives of abortion providers, thus violating the federal ban on disrupting access to abortion clinics. A jury agreed, and a trial resulted in a \$109 million judgment against the plaintiffs/ Dreste was found personally liable for \$6 million.

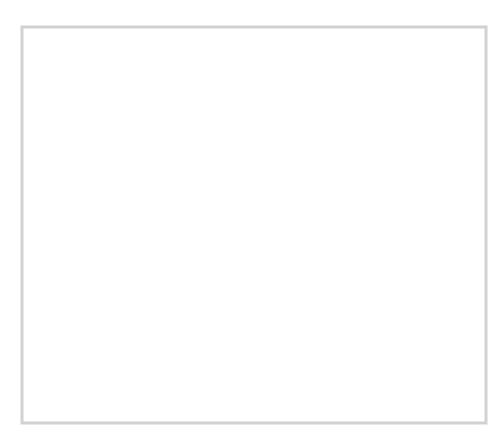
Key to the 1999 conviction was Dreste's involvement in producing so-called "Wanted posters," which listed an abortion provider's home and work address, and even offered a cash reward for anyone who successfully persuaded the physician to "turn from his child killing."

During his previous years as an active anti-abortion radical, Dreste's tactics traced a relationship with violence that terrified abortion providers and patients. In 1993, after the murder of Florida abortion provider Dr. David Gunn, Dreste, wearing shotgun shells on his hat, marched to the Hope Clinic in Granite City, Illinois. On his picketing sign **Dreste had written**: "Do you feel under the Gunn?"

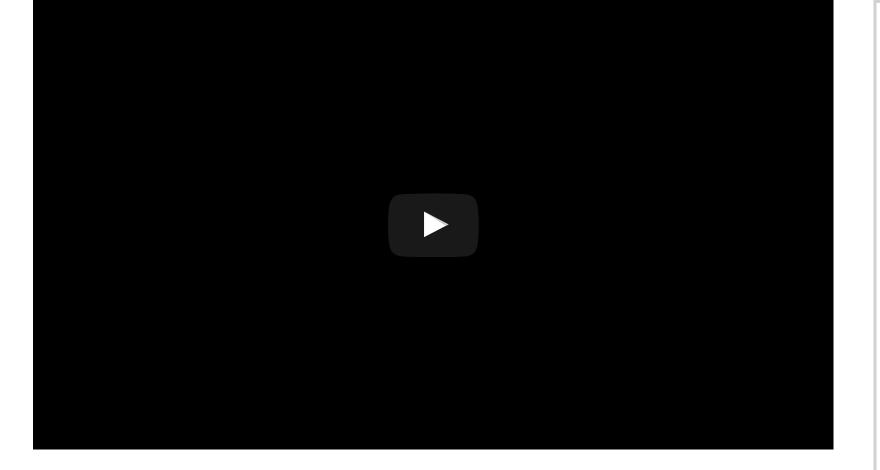


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Dreste appears to have largely disappeared from public life since the 1999 conviction. His name briefly popped up in 2012, when, in the midst of Todd Akin's self-destruction over comments about "legitimate rape," it was revealed that Akin had been arrested after a 1987 anti-abortion protest that included Pro-Life Direct Action, a group Dreste would later lead. Akin was also tangentially linked to Dreste's preferred militia outfit, the 1st Missouri Volunteers.

And now, years later, Dreste is preparing to cast his vote for a president-elect whose position on abortion has veered from pro-choice to pro-life **and** seemingly all points in-between. (Not surprisingly in light of Donald Trump's confusing statements on abortion, Dreste initially endorsed Ted Cruz.)

But when it comes to supporting violence against abortion providers, Dreste's stance appears remarkably unchanged from his years as an active radical. He may not be involved in protesting anymore, but in a recent interview with *Politico Magazine*, Dreste carefully pivoted around the issue, refusing either to endorse or condemn those who seek to bomb clinics or murder doctors.

"I'm a man of actions. You see my actions. Are there any dead abortionists in St. Louis? No there are not," **Dreste told** *Politico*. "I was a trained United States Marine. If I wanted that to happen, I don't think I could be stopped. If they think that's going to happen and they decide not to come into work one day because they see me out front, well OK."

Just a little reminder: Thanks to the electoral college system, this guy gets to vote for president. You don't. As a Missouri voter, you just got to vote for electors like him.

Follow Danny Wicentowski on Twitter at @**D_Towski**. E-mail the author at **Danny.Wicentowski@RiverfrontTimes.com**

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by Dr. Erin King Jun 27, 2016



One in Three Women in the U.S. Will Have an Abortion. I Recently Became One of Them

by Alison Dreith Jun 27, 2016

The Conviction of Tim Dreste

Tim Dreste's journey from Christian missionary to anti-abortion racketeer cost him a \$6 million federal fine for his role in threatening to "kill, assault or do bodily harm" to abortion providers. But he isn't about to stop his crusade.

by Melinda Roth May 12, 1999



MORE BY DANNY WICENTOWSKI



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Certificate of Vote

UNITED STATES OF AMERICA	}
	} s
State of Montana	}

We, the undersigned, Electors of President and Vice President of the United States of America, being the electors duly elected or appointed as replacements and qualified by and for the State of Montana, as appears on the annexed certificate made and delivered to us by the Executive of the said state and annexed copy of our certificate of election of replacements, if applicable, having met, agreeable to the provisions of law, at Helena, the Capital of said State of Montana, on the first Monday after the second Wednesday in December, in the year 2016, being the nineteenth day of said month,

DO HEREBY CERTIFY, that being so assembled and duly organized, we proceeded to vote by ballot, and balloted first for President and then for Vice President by distinct ballots,

AND WE FURTHER CERTIFY, that the following are two distinct lists, one of the votes for President and the other of the votes for Vice President, so cast as aforesaid:

FOR PRESIDENT

Names of persons voted for:	Number of votes:
DONALD J. TRUMP	Three (3)

FOR VICE PRESIDENT

Names of persons voted for:	Number of votes:
MICHAEL R. PENCE	Three (3)

IN TESTIMONY WHEREOF, we have hereunto set our hands, on the first Monday after the second Wednesday in December, 2016, being the nineteenth day of said month.

Thelma Baker, Elector

Vondene Kopetski, Elector

Becky Stockton, Elector

IN THE NAME AND BY THE AUTHORITY OF THE



AMENDED CERTIFICATE OF ASCERTAINMENT FOR THE ELECTION OF THE 2016 PRESIDENTIAL ELECTORS FOR THE STATE OF MONTANA

I, Steve Bullock, Governor of the State of Montana, do hereby certify that on November 29, 2016, in accordance with the provisions of Section 13-15-502, Montana Code Annotated, the Attorney General, Superintendent of Public Instruction, and State Auditor, or their designees, constituting the Board of State Canvassers of the State of Montana, met in the office of the Secretary of State and, as such Board, and in the presence of the Secretary of State or designee, proceeded in accordance with the laws of this State to complete the canvass of the votes cast at the General Election held in the State of Montana on Tuesday, the eighth day of November, 2016 for President and Vice President of the United States.

And I do further certify that the said Board of State Canvassers as aforesaid did ascertain, declare and certify to the Governor of said State that the votes given and cast for each of the persons voted for are as follows:

"ROCKY" ROQUE DE LA FUENTE & MICHAEL STEINBERG: Constance Clark, Kari Maness, and Mary Kay DeMers: 1,570 votes.

HILLARY CLINTON & TIM KAINE: Jim Larson, Jorge Quintana, Jacquie Helt: 177,709 votes.

JILL STEIN & AJAMU BARAKA: Jeffrey Ryan Moore, Danielle Jeane Breck, Thomas Lee Breck: 7,970 votes.

GARY JOHNSON & BILL WELD: Mike Fellows, Michael J. Schoenike, Roger Roots: 28,037 votes.

DONALD J. TRUMP & MICHAEL R. PENCE: Thelma Baker, Nancy Ballance, and Dennis Scranton: 279,240 votes.

And I do hereby certify that the number of votes given and cast is correct, as appears from the official declaration and certification of said Board of State Canvassers.

And by reason of said declaration and certification, I certified that the following named persons, to-wit: Thelma Baker, Nancy Ballance, and Dennis Scranton were the duly elected Presidential Electors of the State of Montana.

Pursuant to Section 13-25-305, Montana Code Annotated, electors serve as electors unless a vacancy occurred in the office of elector before the end of the meeting required under Section 13-25-307(1), Montana Code Annotated. Vacancies did occur, and substitute electors were appointed to fill the vacancy as provided for in Section 13-25-306, Montana Code Annotated. Therefore, I hereby submit this <u>amended</u> certificate of ascertainment stating the names on the final list of the state's electors: Thelma Baker, Vondene Kopetski, and Becky Stockton.

STHE STATE OF THE STATE OF THE

IN TESTIMONY WHEREOF, I have hereunto subscribed my name and caused the Great Seal of the State of Montana to be affixed at Helena, Montana on December 20, 2016, A.D.

Steve Bullock, Governor

ATTEST:

Linga McCulloch, Secretary of State

STATE OF NEBRASKA 2016 ELECTORAL COLLEGE CERTIFICATE OF VOTE

We hereby certify that **Donald J. Trump** received five (5) electoral votes for the Office of President of the United States.

We further certify that **Michael R. Pence** received five (5) electoral votes for the Office of Vice President of the United States.

Paul Burger, Elector

Chuck Conrad, Elector

John Dinkel, Elector

Phil Belin, Elector

Craig Safranek, Elector

Done this 19th day of December 2016 at Lincoln, Nebraska



Pete Ricketts, Governor

John A. Gale, Secretary of State

STATE OF NEBRASKA 2016 ELECTORAL COLLEGE CERTIFICATE OF ASCERTAINMENT

We, Pete Ricketts, Governor of the State of Nebraska, and John A. Gale, Secretary of State of the State of Nebraska, do hereby certify the following is a list of the five Electors per ticket in and for the State of Nebraska, including the names of the Presidential and Vice Presidential candidates and the votes received by each as duly canvassed by the Nebraska Board of State Canvassers.

Republican Party

Donald J. Trump, President/Michael R. Pence, Vice President
Statewide Total Votes Received: 495,961

Electors: Paul Burger, 3712 4th Avenue, Kearney, NE 68845 (At Large)

Chuck Conrad, 306 West D Street, Hastings, NE 68901 (At Large)

First Congressional District Total Votes Received: 158,642
John Dinkel, 2206 Koenigstein Avenue, Norfolk, NE 68701 (1st District)

Second Congressional District Total Votes Received: 137,564 Phil Belin 12341 Westover Road, Omaha, NE 68154 (2nd District)

Third Congressional District Total Votes Received: 199,755 Craig Safranek, 80445 Road 431, Merna, NE 68856 (3rd District)

<u>Democratic Party</u>
Hillary Clinton, President/Tim Kaine, Vice President
Statewide Total Votes Received: 284,494

Electors: Suzanne McNamara, 2706 Alberta Avenue, Bellevue, NE 68147(At Large) Ron Withem, 1104 Shady Tree Lane, Papillion, NE 68046 (At Large)

> First Congressional District Total Votes Received: 100,132 Christa Yoakum, 330 NW 13th St., Lincoln, NE 68528 (1st District)

Second Congressional District Total Votes Received: 131,030 Peg Lippert, 1112 Limerick Road, Papillion, NE 68046 (2nd District)

Third Congressional District Total Votes Received: 53,332 Jim (Doc) Moore, 965 River Road, Marsland, NE 69364 (3rd District)

Libertarian Party Gary Johnson, President/Bill Weld, Vice President Statewide Total Votes Received: 38,946

Electors: Gene Siadek, 1629 N 160th Street, Omaha, NE 68118 (At Large)

David Demarest, 10812 Park Meadows Plaza, Omaha, NE 68142 (At Large)

First Congressional District Total Votes Received: 14,033

David Hunt, 333 South 18th Street, Blair, NE 68008 (1st District)

Second Congressional District Total Votes Received: 13,245 Scott Zimmerman, 11623 Spaulding Street, Omaha, NE 68164 (2nd District)

Third Congressional District Total Votes Received: 11,668 Ashley Lara, 2160 M Street, Gering, NE 69361 (3rd District)

By Petition Jill Stein, President/Ajamu Baraka, Vice President

Statewide Total Votes Received: 8,775

Electors: Charles Ostdiek, 420 S. 38th Street, Omaha, NE 68131 (At Large) Steve Larrick, 920 S. 8th Street, Lincoln, NE 68508 (At Large)

First Congressional District Total Votes Received: 3,374 M.J. Berry, 601 S. 40th Street, Lincoln, NE 68510 (1st District)

Second Congressional District Total Votes Received: 3,347
Mark Zimmermann, 3719 Hamilton Street, Omaha, NE 68131 (2nd District)

Third Congressional District Total Votes Received: 2,054 Roy Guisinger, 45150 State Highway 52, Belgrade, NE 68623 (3rd District)

We hereby certify that the names of the five Republican Party Electors associated with the Trump-Pence ticket have been duly appointed and notified by certified mail by the Governor and will appear at the State Capitol, Lincoln, Nebraska, on the 19th day of December 2016 for the purpose of casting Nebraska's five Electoral College votes.

We further certify that the five Republican Party Electors associated with the Trump-Pence ticket will serve as presidential electors unless a vacancy occurs in the office of presidential elector before the end of the meeting at which the presidential electors cast their votes, in which case a substitute presidential elector will fill the vacancy. If a substitute presidential elector is appointed to fill a vacancy, we will submit an amended certificate of ascertainment stating the names on the final list of this state's presidential electors.

We hereunto affix our signatures this 15th day of December 2016 at Lincoln, Nebraska.



Pete Ricketts, Governor

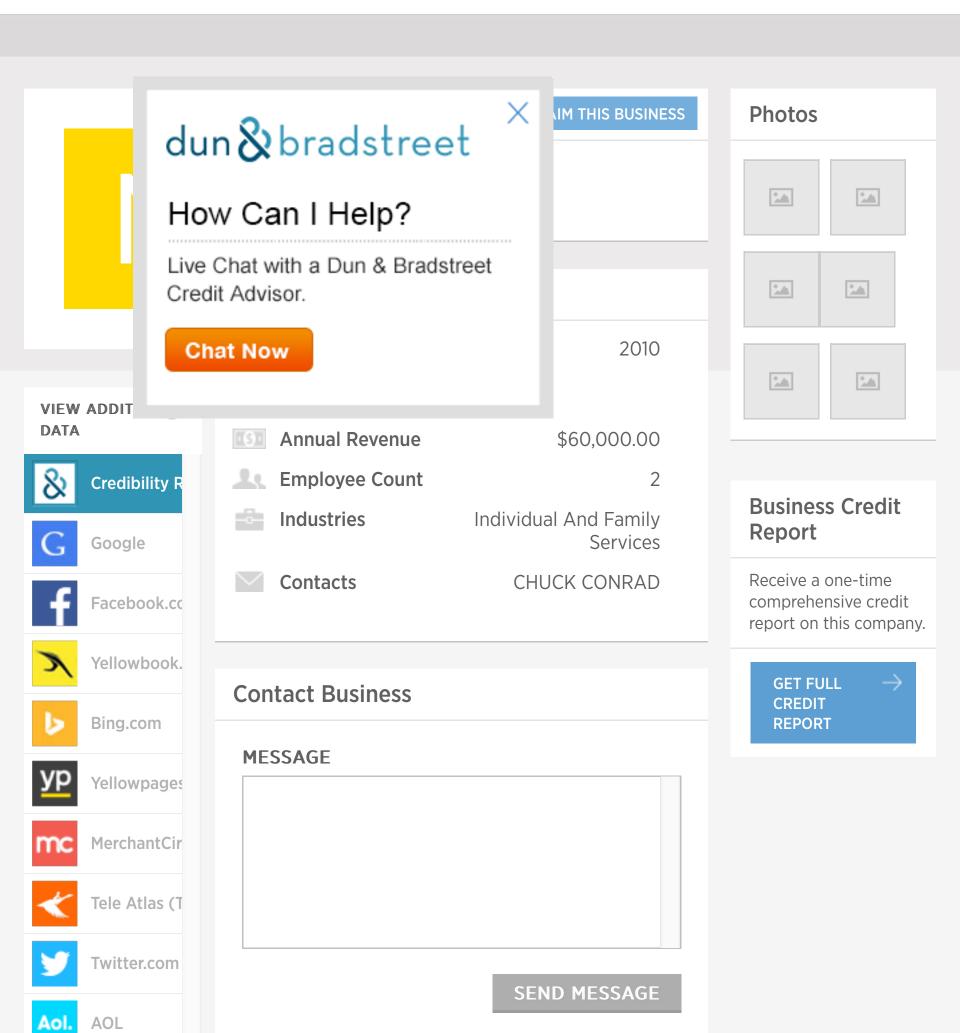
John A. Gale, Secretary of State

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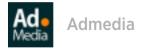






























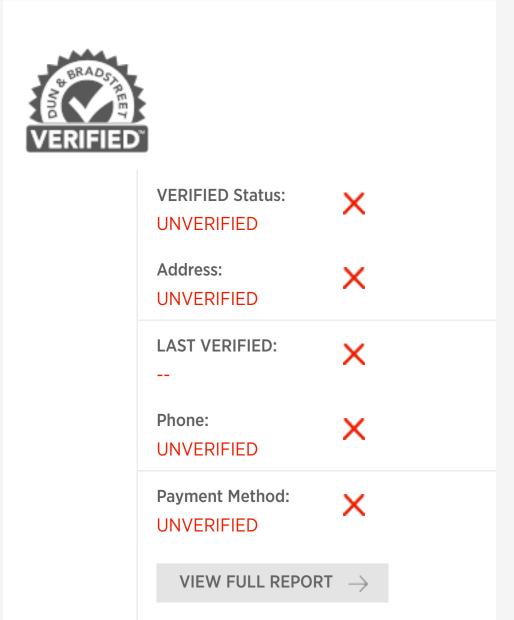






Company Summary

Nebraska Right To Life was founded in 2010, and is located at 306 W D St in Hastings. It employs 2 employees and is generating approximately \$60,000.00 in annual revenue.



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NO DATA	Sunday Monday Tuesday Wednesday Thursday Friday Saturday	



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- Studied Education at University of Nebraska-Lincoln
- Went to Anselmo-Merna
- Lives in Merna, Nebraska
- Married to Kelli Power Safranek
- From Merna, Nebraska







Craig Safranek

December 31, 2016 at 10:51pm · Merna, NE · 🚱

Mariah Carey is too old for those clothes and looks either drunk or high! Ohio State should thank Mariah Carey. They no longer have the worst performance of the night.



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Leslie Nicole Safranek We hit rewind a few times! Aler ear piece wasn't working so she couldn't sing right! Poor thing!

Like · Reply · Yesterday at 12:09am



Becky Waible Morse I agree! It is was terrible. Her lip syncing was awful! Like · Reply · 1 · Yesterday at 12:23am · Edited



Becky Denson



Like · Reply · 1 · Yesterday at 1:01am



Christopher Jorgensen C'mon, the background track was hitting the ultra high notes really well / ^)

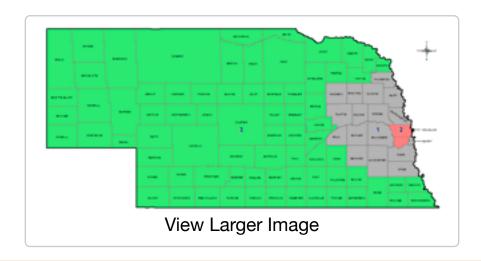
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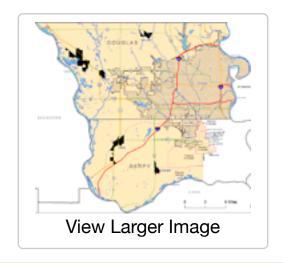
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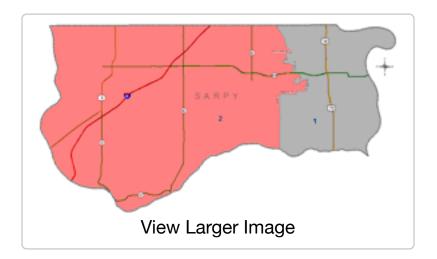
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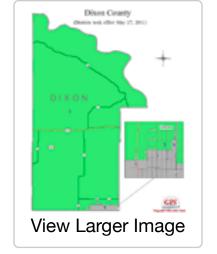


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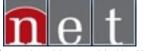
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1	2	3	4	5	6	7
8	9	10	11	12	13	14
15	16	17	18	19	20	21
22	23	24	25	26	27	28
29	30	31				

Month View

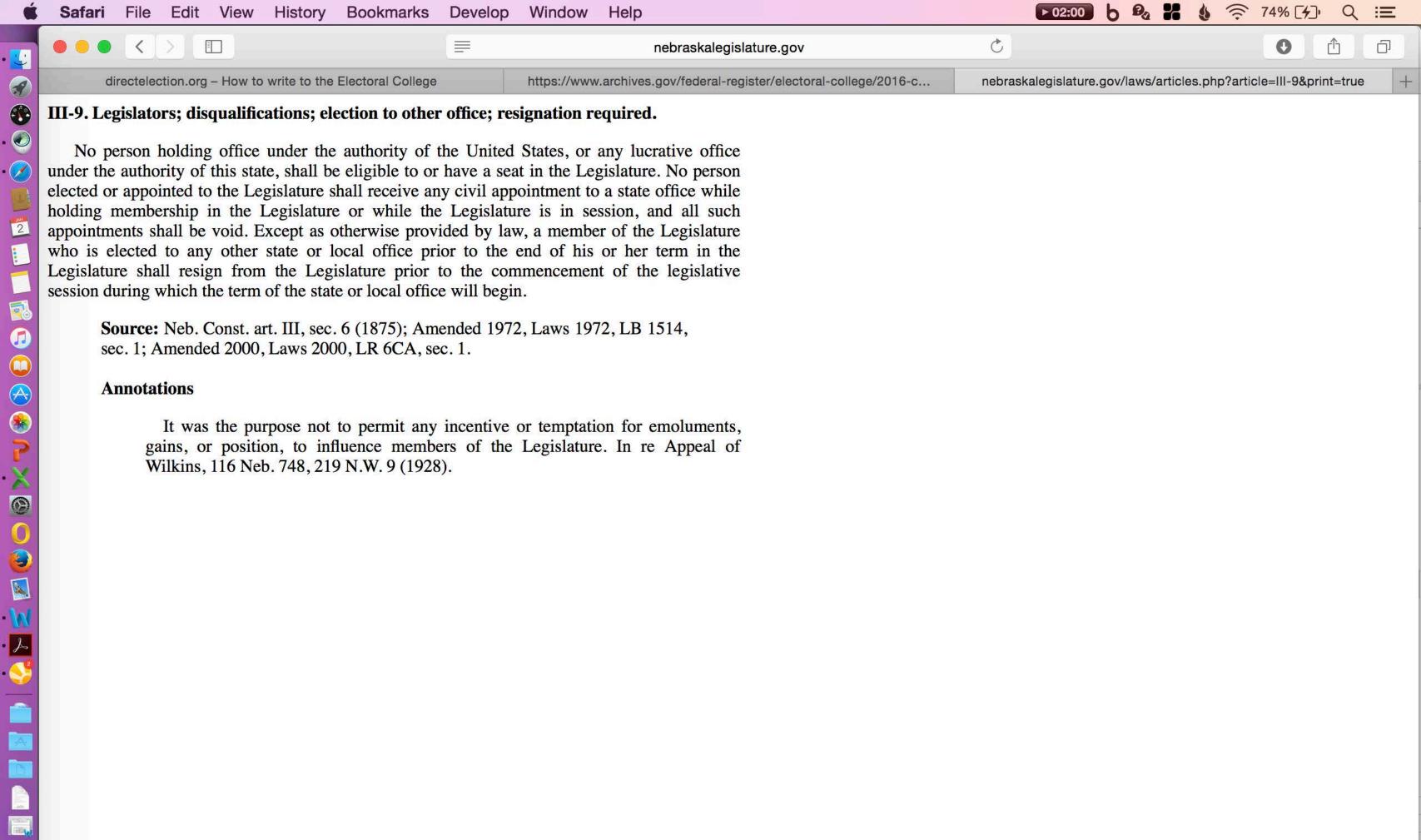
(/calendar/calendar.php)

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- Contact Us (/contact/email_form.php)
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- Glossary of Terms (/about/glossary.php)
- Disclaimer (/contact/disclaimer.php)

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SAMPLE BALLOT GENERAL ELECTION, November 08, 2016

INSTRUCTIONS TO VOTERS: 1. TO VOTE, YOU MUST DARKEN THE OVAL COMPLETELY 2. Use black or blue ink or a No. 2 pencil 3. To vote for a WRITE-IN candidate - write in the name on the line provided AND darken the oval completely 4. DO NOT CROSS OUT OR ERASE. If you make a mistake, ask for a new ballot. 5. DO NOT FOLD THE BALLOT	For Representative in Congress District 02 2 Year Term Vote For ONE Don Bacon Republican Brad Ashford Democratic	
PRESIDENTIAL TICKET For President and Vice President of the United States	Steven Laird Libertarian	
4 Year Term Vote For ONE		
Donald J. Trump President Michael R. Pence Vice President	For Representative in Congress District 03 2 Year Term Vote For ONE	
Hillary Clinton President Tim Kaine Vice President	Adrian Smith Republican	
Gary Johnson	STATE TICKET	
President Bill Weld Vice President Jill Stein President By Petition	For Public Service Commissioner District 04 6 Year Term Vote For ONE Rod Johnson	
Ajamu Baraka Vice President	Republican	
Vice i resident	O	
President	For Data O. C. C.	
Vice President	For Public Service Commissioner District 05	
CONGRESSIONAL TICKET	6 Year Term Vote For ONE	
For Representative in Congress District 01	Mary Ridder Republican	
2 Year Term Vote For ONE		
Jeff Fortenberry Republican		
Daniel M. Wik Democratic		
A	В	С



It was the purpose not to permit any incentive or temptation for emoluments, gains, or position, to influence members of the Legislature. In re Appeal of Wilkins, 116 Neb. 748, 219 N.W. 9 (1928).



State of North Carolina

PAT McCRORY

GOVERNOR

CERTIFICATE OF VOTE OF THE PRESIDENTIAL AND VICE-PRESIDENTIAL **ELECTORS**

To the Honorable President of the Senate United States of America Washington, D.C.

For President:

For Vice President:

We, the undersigned, being duly elected, qualified and acting presidential electors for the State of North Carolina, do hereby certify that on the 19th day of December 2016, in the City of Raleigh, State of North Carolina, duly and regularly met and convened and then and there, by authority of law in us vested, voted for President and Vice President of the United States of America, with the following results:

Donald Trump

Mike Pence

15 Votes

15 Votes

Lee Bossen Green, Elector-at-Large

David Glenn Smudsky, Elector-at-Large

made known and properly cast, and the elector those of other states in the selection of these r	tors, have hereunto, at Raleigh, North Carolina, on
Linda Harper (SEAL) Linda Ruth Lamm Harper, District 1	Robert Muller, District 7 (SEAL)
Charles C. Staley, District 2 (SEAL)	Jennifer Anne Dunbar, District 8 (SEAL)
Karen deJong Kozel, District 3	Andrea Shannon Arterburn, District,9
Martha Williams Jenkins, District 4	Glenn Pinckney, Sr., District 10
Celeste Cox Stanley, District 5 (SEAL)	Mark T. Delk, District 11 (SEAL)
Donald Matthew Webb, District 6	David Speight District 12 (SEAL)
THE STATE OF THE PARTY OF THE P	Ann S. Sullivan, District 13
	(SEAL)

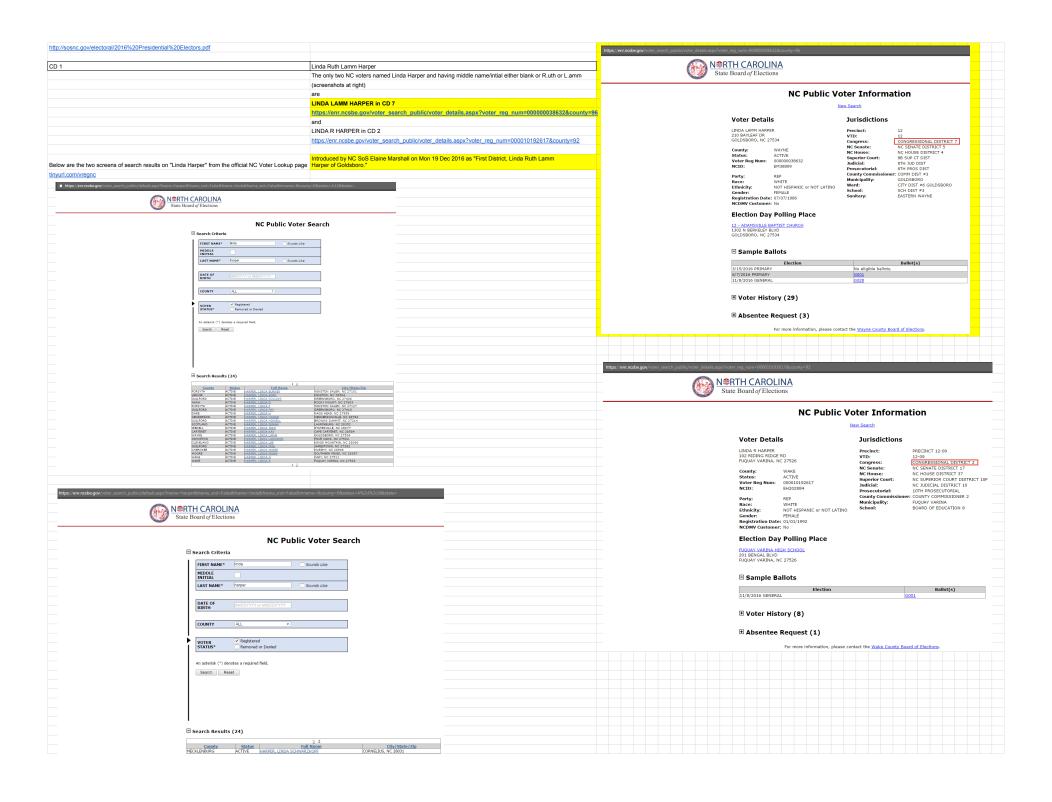
representing	really lives in		
01	07	07 already has a match	
02	06	765879 N	
03	01		
06	13		
10	05	05 already has a match	
12	13	117 6 4 5 111 4 5 111 1	
13	07	07 already has a match	

NC ELECTOR CONGRESSIONAL DISTRICT RESIDENCY MISMATCHES AT A GLANCE

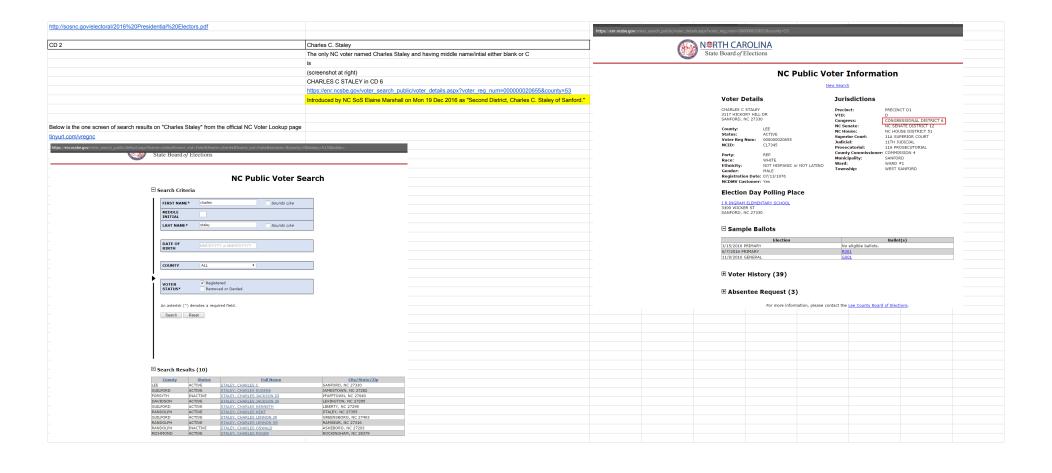
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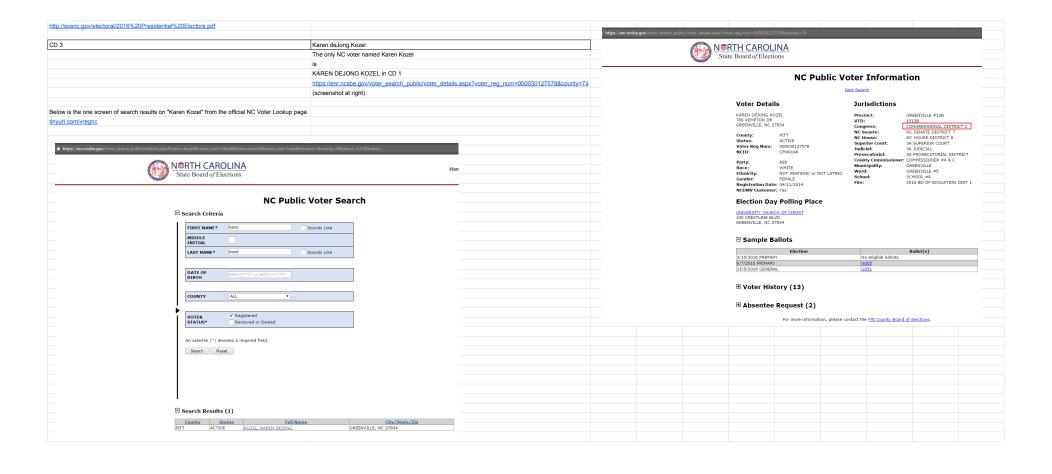
Too late to shuffle (which might have corrected three districts: 01, 06, 13)

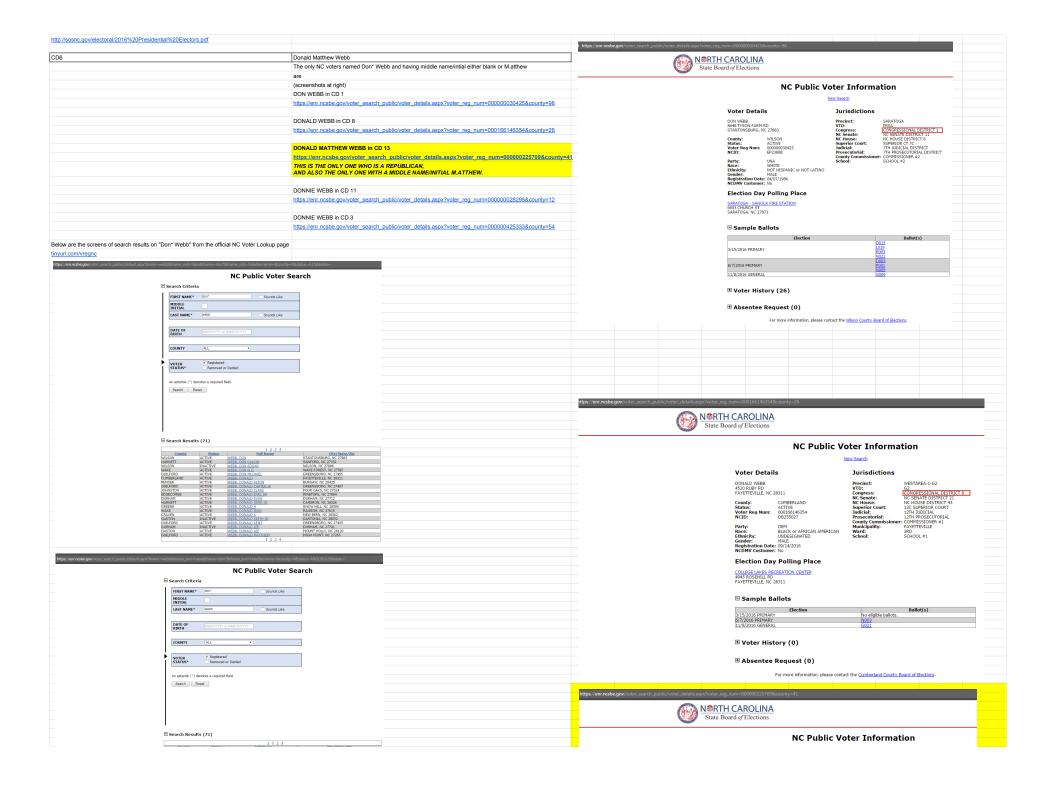
The first column is how they were introduced, and how they signed the tallies, on Dec. 19.

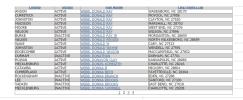


CRA	AVEN	ACTIVE	HARPER, LINDA SCOTT	VANCEBORO, NC 28586
IRE	EDELL	ACTIVE	HARPER, LINDA W	STATESVILLE, NC 28625
WA	KE	ACTIVE	HARPER LINDA W	KNIGHTDALE NC 27545
		/101116	FIRMFLIC LINDA W	Juliani and Land in
			<u>1</u> 2	









NC Public Voter Search

FIRST NAME*	don*	Sounds Like
MIDDLE INITIAL		
LAST NAME*	webb	Sounds Like
DATE OF BIRTH	MMDDYYYY or MMDDAYYYY	
COUNTY	ALL •	

■ Search Results (71)

County	Status	Full Name	City/State/Zip
NORTHAMPTON	ACTIVE	WEBB, DONNA DAVIS	PLEASANT HILL, NC 27866
FRANKLIN	ACTIVE	WEBB, DONNA EDWARDS	YOUNGSVILLE, NC 27596
SCOTLAND	ACTIVE	WEBB, DONNA GAY	LAUREL HILL NC 28351
AVERY	INACTIVE	WEBB, DONNA GIBSON	NEWLAND, NC 28657
HERTFORD	ACTIVE	WEBB, DONNA JEAN	AHOSKIE, NC 27910
WAKE	ACTIVE	WEBB, DONNA JEAN	APEX, NC 27523
WILSON	ACTIVE	WEBB, DONNA JEAN	STANTONSBURG, NC 27883
ORANGE	ACTIVE		HILLSBOROUGH, NC 27278
WILSON	ACTIVE	WEBB, DONNA KENT	WILSON, NC 27893
FRANKLIN	ACTIVE	WEBB, DONNA L	FRANKLINTON, NC 27525
MECKLENBURG	INACTIVE	WEBB, DONNA L	CHARLOTTE, NC 28212
GUELFORD	ACTIVE	WEBB, DONNA LOU	GREENSBORO, NC 27407
OHNSTON	ACTIVE	WEBB, DONNA MARIE	BENSON, NC 27504
ONSLOW	ACTIVE	WEBB, DONNA MARIE	RICHLANDS, NC 28574
WAKE	ACTIVE	WEBB, DONNA RAE	RALEIGH, NC 27606
RUTHERFORD	ACTIVE	WEBB, DONNA SUE	FOREST CITY, NC 28043
YADKIN	ACTIVE	WEBB, DONNA SUE	EAST BEND, NC 27018
NASH	ACTIVE	WEBB, DONNA SUSAN	NASHVILLE, NC 27856
WASHINGTON	ACTIVE	WEBB, DONNICA LYNN	PLYMOUTH, NC 27962
BURKE	ACTIVE	WEBB, DONNIE	MORGANTON, NC 28655

NaRTH CAROLINA State Board of Elections

NC Public Voter Search

FIRST NAME*	don*	Sounds Like
MIDDLE INITIAL		
LAST NAME*	webb	Sounds Like
DATE OF BIRTH	MMDDYYYY or MM/DD/YYYY	
COUNTY	ALL	
COUNTY	(ALL	
VOTER STATUS*	Registered Removed or Denied	

∃ Search Results (71)

1 2 3 4				
County	Status	Full Name	City/State/Zip	
LENOIR	INACTIVE	WEBB, DONNIE	KINSTON, NC 28501	
BURKE	ACTIVE	WEBB, DONNIE ALLEN	MORGANTON, NC 28655	
DRANGE	ACTIVE	WEBB, DONNIE CAROL	HILLSBOROUGH, NC 27278	
BURKE	ACTIVE	WEBB, DONNIE EUGENE	MORGANTON, NC 28655	
WILSON	ACTIVE	WEBB, DONNIE HUE	WILSON, NC 27893	
CALDWELL	INACTIVE	WEBB, DONNIE MACK	LENOIR, NC 28645	
GREENE	ACTIVE	WEBB, DONNIE RAY	SNOW HILL, NC 28580	
NORTHAMPTON	ACTIVE	WEBB, DONOVAN AUGUSTA	PLEASANT HILL, NC 27866	
WAKE	ACTIVE	WEBB, DONTE SHAREIF	RALEIGH, NC 27603	
RANDOLPH	ACTIVE	WEBB, DONTRELL DOMINGUE	RAMSEUR, NC 27316	
ROWAN	ACTIVE	WEBB, DONYAE MONTOYA	SALISBURY, NC 28144	

New Search

Jurisdictions

H208
H208
H208
CONGRESSIONAL DISTRICT 13
NC SERVATE DISTRICT 27
NC HOUSE DISTRICT 61
JUD 188
JUD 18
JUD 18
JUD 18
JUD 18
H1 PROC DIST
FOR TO HIGH POINT
CHY COMM 2
HIGH POINT
CHY CHCL H6
SCH 2

Voter Details

DONALD MATTHEW WEBB 2209 TIMBERLAKE AVE HIGH POINT, NC 27265

Party: REP
Race: WHITE
Ethnicity: NOT HISPANIC or NOT LATINO
Gender: Registration Date: ALD
RCDHY Customer: Yes

Election Day Polling Place

NORTHWOOD UNITED METHODIST CHURCH 2409 AMBASSADOR CT HIGH POINT, NC 27265

∃ Sample Ballots

Election	Ballot(s)
3/15/2016 PRIMARY	No eligible ballots.
6/7/2016 PRIMARY	R002
11/8/2016 GENERAL	G055

⊞ Voter History (46)

Absentee Request (2) ∴

For more information, please contact the <u>Guilford County Board of Elections</u>.



NC Public Voter Information

New Search

Voter Details Jurisdictions | Precinct: QUAKER MEADOWS #1-A OPTO | OPTO

Party: DEM Race: WHITE Ethnicity: NOT HISPANIC or NOT LATINO Gender: MALE Registration Date: 10/08/1984 NCDMV Customer: Yes

Election Day Polling Place

QUAKER MEADOWS # 1-A OAK HILL RURITAN CLUB 1045 WATERMILL RD MORGANTON, NC 28655

□ Sample Ballots

Election	Ballot(s)
3/15/2016 PRIMARY	D003
5/7/2016 PRIMARY	D001
11/8/2016 GENERAL	G001

⊞ Voter History (10)

★ Absentee Request (1)

For more information, please contact the <u>Burke County Board of Elections</u>.



NC Public Voter Information

New Search

Jurisdictions

Voter Details DONNIE WEBB 312 COLLEGE ST KINSTON, NC 28501

DEM BLACK or AFRICAN AMERICAN

Election Day Polling Place

850 GREENBRIAR RD KINSTON, NC 28501

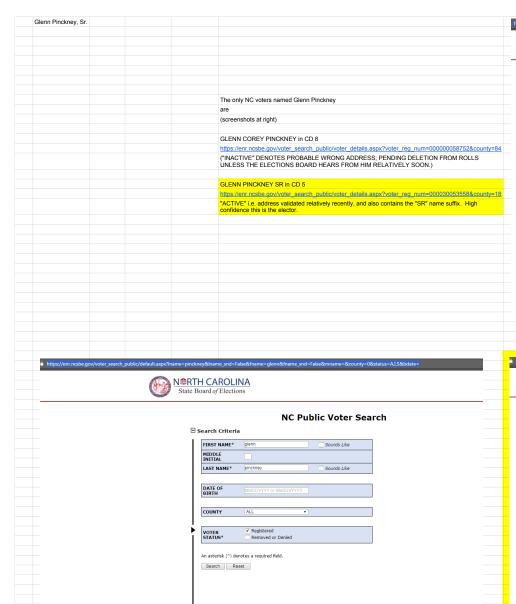
⊟ Sample Ballots

Election	Ballot(s)
3/15/2016 PRIMARY	No eligible ballots.
6/7/2016 PRIMARY	D002
11/8/2016 GENERAL	G007

⊞ Voter History (0)

■ Absentee Request (0)

For more information, please contact the <u>Lenoir County Board of Elections</u>.



■ Search Results (2)



NC Public Voter Information

New Search

Jurisdictions

NEW LONDON

NEW LUMLUN
0017
CONGRESSIONAL DISTRICT 8
NC SENATE DISTRICT 25
NC HOUSE DISTRICT 67
20A SUPERIOR COURT
20A JUDICIAL
20A PROSECUTORIAL
er: COMMISSIONER 4
SCHOOL ≠4

Precinct: VTD: Congress: NC Senate: NC House: Superior Court: Judicial: Prosecutorial: County Commiss School:

Voter Details

GLENN COREY PINCKNEY 36231 NUGGET RD NEW LONDON, NC 28127

STANLY INACTIVE 000000058752 DZ59480 County: Status: Voter Reg Num: NCID:

Party: REP
Race: BLACK or AFRICAN AMERICAN
Ethnicity: UNDESIGNATED
Gender: MALE
Registration Date: 09/26/2008
NCDMV Customer: Yes

Election Day Polling Place

NEW LONDON COMMUNITY CENTER 114 W GOLD ST NEW LONDON, NC 28127

□ Sample Ballots

Election	Ballot(s)
3/15/2016 PRIMARY	R001
	R001
11/8/2016 GENERAL	G013

⊞ Voter History (1)

★ Absentee Request (0)

For more information, please contact the Stanly County Board of Elections



NC Public Voter Information

New Search

Jurisdictions

NORTHWEST

VTD: 39
CONGRESSIONAL DISTRICT 5
NC Senate:
NC House:
NC HOUSE DISTRICT 42
NC HOUSE DISTRICT 92
NC SHARLE USI RICI 142
NC HOUSE DISTRICT 96
NC SHARLE USI RICI 142
NC HOUSE DISTRICT 96
NC HOUSE DISTRICT 96
NC HOUSE DISTRICT 97
NC HOUSE PROPERTY 97
NC HOUSE PROPE

Precinct: VTD:

Voter Details

GLENN PINCKNEY SR 3540 4TH ST BLVD NW HICKORY, NC 28601

BLACK or AFRICAN AMERICAN NOT HISPANIC or NOT LATINO

Election Day Polling Place

39 NORTHWEST - NEILL CLARK RECREATION CENTER 3404 6TH ST DR NW HICKORY, NC 28601

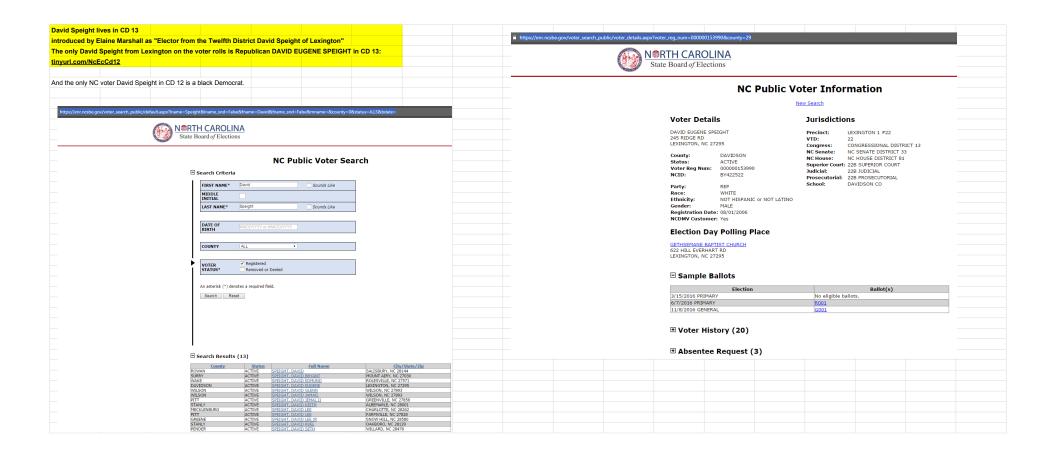
□ Sample Ballots

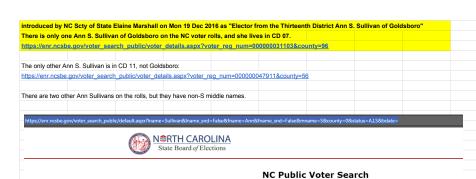
Election	Ballot(s)
3/15/2016 PRIMARY	No eligible ballots.
6/7/2016 PRIMARY	R002
11/8/2016 GENERAL	G006

■ Voter History (11)

★ Absentee Request (2)

For more information, please contact the Catawba County Board of Elections.





■ Search Criteria



∃ Search Results (2)

County MACON	ACTIVE	Full Name SULLIVAN, ANN S	HIGHL	City/Sta ANDS, NC 28741	te/Zip	
WAYNE	ACTIVE	SULLIVAN, ANN S SULLIVAN, ANN S	GOLDS	ANDS, NC 28741 BORO, NC 27530		
						Н
						Ť
						Ť
						-



NC Public Voter Information

New Search

Voter Details

ANN S SULLIVAN 707 KETTLE ROCK RD HIGHLANDS, NC 28741

County: Status: Voter Reg Num: NCID: 000000047911 CP39187

 Party:
 REP

 Race:
 WHITE

 Ethnicity:
 NOT HISPAN

 Gender:
 FEMALE

 Registration Date:
 06/17/2010

 NCDMV Customer:
 Yes
 REP WHITE NOT HISPANIC or NOT LATINO FEMALE

Jurisdictions

Election Day Polling Place

HIGHLANDS CIVIC CENTER 600 N 4TH ST HIGHLANDS, NC 28741

□ Sample Ballots

Election	Ballot(s)
3/15/2016 PRIMARY	R001
6/7/2016 PRIMARY	N002
11/8/2016 GENERAL	G001

⊞ Voter History (5)

★ Absentee Request (2)

For more information, please contact the Macon County Board of Elections.



NC Public Voter Information

New Search

Jurisdictions

Precinct: VTD: Congress: NC Senate: NC House: Superior Court: Judicial: Prosecutorial: County Commiss School: Sanitary:

Voter Details

ANN S SULLIVAN 103 WILDWOOD DR GOLDSBORO, NC 27530

County: Status: Voter Reg Num: NCID:

Party: Race: Ethnicity: Party: REP
Race: WHITE
Ethnicity: NOT HISPANIC or NOT LATINO
Gender: FEMALE
Registration Date: 07/19/19976
NCDMV Customer: Yes

Election Day Polling Place

16 - AMERICAN LEGION POST 11 2973 S US 117 HWY DUDLEY, NC 28333

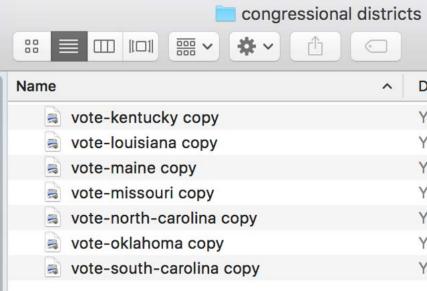
☐ Sample Ballots

Election	Ballot(s)
3/15/2016 PRIMARY	No eligible ballots.
6/7/2016 PRIMARY	N001
11/8/2016 GENERAL	G015

■ Voter History (42)

★ Absentee Request (3)

For more information, please contact the Wayne County Board of Elections.



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- * Flags Over America
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Martha W. Jenkins Appointed Legislative Liaison at N.C. Department of Cultural Resources

Martha Williams Jenkins is the new legislative liaison for the North Carolina

Department of Cultural Resources. She is co-owner of Flags Over America and has
been a commercial underwriter for Fireman's Fund Insurance.

March 4, 2013 - PRLog -- RALEIGH, N.C. -- North Carolina Department of Cultural Resources
Secretary Susan W. Kluttz has announced the appointment of Martha Williams Jenkins as legislative
liaison of Cultural Resources, effective Feb. 25. Williams is co-owner of Flags Over America and spent
14 years as a commercial underwriter for Fireman's Fund Insurance.

"We are excited and thrilled to have Martha Jenkins join our Cultural Resources team," notes Secretary Kluttz. "Her leadership and skill in advancing causes, along with her love of history, will be great assets as we protect the state's treasures while advancing economic development."

Jenkins is a past president of the North Carolina Federation of Republican Women and 2007 winner of the National Federation of Republican Women Ronald Reagan Leadership Award. As president of the North Carolina Federation, she led lobbying efforts for Jessica's Law, which was passed here in 2008. She is also a member of the General Davie Chapter, National Society Daughters of the American Revolution.

Jenkins holds a B.A. degree in history from the College of William and Mary in Williamsburg, Va.

For additional information call (919) 807-7389.

About the North Carolina Department of Cultural Resources:

The N.C. Department of Cultural Description approach agrees than 10

Top Daily News

Kipper Jones Announces
Release of "Ashes to
Ashes..." and Challenges
Artists On Inaugration Day
2017 - 901 views

Professor Rob McKenzie inks agent deal with EA Kroll Productions - 379 views

Emler Repeats As A DMN Top 100 Place To Work -371 views

Clearwater's Fort Harrison to Host Swing Dance for Charity on January 19th -337 views

Miracles: Witness Stories of Health, Hope and Faith Restored - 234 views

Top Weekly News

Four-Generation Bavarian Inn Garners MichBusiness Succession Award - 2904 views

Knoxville Auto Brokers
Announces New Location
and Showroom Expansion
Grand Opening - 1206
views

LumenData Announces
New Leadership Roles on
Its Enterprise Information
Management (EIM) Team
1126 views

United Premier Soccer League Announces Atlas

Certificate of Vote Presidential Electors State of North Dakota

We, the undersigned electors for President and Vice President of the United States of America, as chosen by the voters of North Dakota on November 8, 2016, having met according to the provisions of the federal and state constitutions and laws at Bismarck, in said State of North Dakota, on the first Monday after the second Wednesday of December of year 2016, being the nineteenth day of said month;

Do hereby certify, that being so assembled and duly organized, we proceeded to vote by ballot, and balloted first for President and then for Vice President by distinct ballots;

And, we further certify the following are two distinct lists, one showing the votes cast for President and the other showing the votes cast for Vice President, so cast as aforesaid;

For President: Donald J Trump

Numbers of Electors voting for Donald J Trump were: ___

For Vice President: Michael R Pence

Numbers of Electors voting for Michael R Pence were:

3

Witness our hands on the nineteenth day of December 2016.

BEVERLY CLAYBURGH

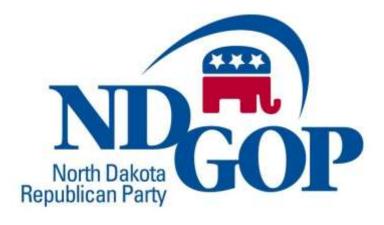
DUANE O MUTCH

JOHN M OLSON

ATTEST:

ALVIN A. JAEGER

Secretary of State



STATE COMMITTEE RULES

(Revised April 1, 2016)

PREAMBLE

The powers, rights, privileges, and duties of the State Committee and of the Chairman thereof are provided by law, and the State Committee is authorized by law to adopt Rules for its proper governing.

The State Committee is the sole Republican organization with statewide representation which is given official standing by law. The State Committee, therefore, is by virtue of law the sole official body endowed with official authority to guide the destiny of the Republican Party in the State of North Dakota and to correlate and coordinate all Republican activities and influence throughout North Dakota with that of the Republican Party nationally.

The following Rules are hereby adopted and declared to be the Rules for the governing and organization of the Republican Party of North Dakota.

ARTICLE I – NAME

The name of this organization shall be "The North Dakota Republican Party" and shall consist of the State Committee, the Executive Committee and District Committees organized consistent with legislative districts within the State of North Dakota.

ARTICLE II – PURPOSE

The purpose of the Republican Party of North Dakota shall be to promote sound, honest, and constitutional government in the state and nation by electing Republicans to public office. A further purpose of the Republican Party of North Dakota shall be to preserve and protect the dignity, rights, and liberties of the individual. The legitimate object of government is to do for a community of people whatever they need to have done but cannot do for themselves, in their separate and individual capacities. In all that the people can individually do as well for themselves, a government ought not to interfere.

ARTICLE III – STATE COMMITTEE

Section 1. Purpose

The general supervision, regulation, and direction of affairs of the Party shall be vested in the State Committee. The State Committee is composed of District Chairmen, the National Committeewoman, the National Committeeman, the State House Leader, the State Senate Leader, and a Representative of the State Elected Officials.

Section 2. Duties

- A. To establish and maintain a state headquarters.
- B. To do any and all other acts necessary to accomplish the program and policies of the State Convention.

Section 3. Meetings

The District Chairmen, which make up the State Committee, shall meet on or before July first of each odd-numbered year and organize in accordance with state law. The State Committee shall hold at least two meetings each year at the call of the State Chairman and at such other times as ten members, in writing, request the State Chairman that a meeting be held. The District Chairmen, as members of the State Committee, shall keep the State Chairman fully advised of the political conditions and requirements in their respective legislative districts and shall look after the Party's interest at all elections. Ex-officio, non-voting members of the State Committee shall include the State Finance Chairman, all North Dakota Republican members of the United States Senate and the United States House of Representatives, all Republican Executive State Officials, the immediate past State Chairman, State Chairman of the Young Republicans of North Dakota, and the State Chairman of the North Dakota College Republicans.

Section 4. Regions

The State Committee shall be divided into four regions each with its own chairman elected for two year terms by region at a meeting of the State Committee held in a non-election year. The Regions shall meet during the year at the call of the Regional Chairman. The regions will consist of the following Districts of the Legislature:

- I. Northwest Region: 1, 2, 3, 4, 5, 6, 9, 38, 40
- II. Northeast Region: 10, 14, 15, 17, 18, 19, 23, 29, 42, 43
- III. Southeast Region: 11, 12, 13, 16, 20, 21, 22, 24, 25, 26, 27, 41, 44, 45, 46
- IV. Southwest Region: 7, 8, 28, 30, 31, 32, 33, 34, 35, 36, 37, 39, 47

Section 5. Officers

The officers of the State Committee shall be a State Chairman, Vice Chairman, Vice Chairwoman, Secretary, and Treasurer. All officers shall be entitled to vote on all questions coming before the State Committee for consideration, except the State Chairman who shall vote only in the case of a tie. The officers elected need not be members of the State Committee. A vacancy on the State Committee, other than a District Chairman, shall be filled by a majority of the State Committee. The State Committee shall have the power to provide compensation for the office of the State Chairman on a part-time or full-time basis.

Section 6. Quorum

A majority of the duly elected members of the State Committee shall constitute a quorum for the transaction of business at all meetings.

Section 7. Notice of Meetings

Fifteen days written or electronic notice of all meetings shall be given to each member of the State Committee.

Section 8. Duties of Officers

- A. State Chairman: The State Chairman shall preside at all meetings of the State Committee. In addition to all the powers, rights, privileges, and duties conferred and imposed upon him by law, he shall exercise and discharge those conferred on him by the Rules of the State Committee and all resolutions adopted in conformity therewith. The State Chairman shall be the executive officer of the Republican Party in the State of North Dakota. He shall appoint all standing and special committees of the North Dakota Republican Party with the approval of the Executive Committee.
- B. Vice Chairman: The Vice Chairman, in the absence of the State Chairman, shall preside at all meetings of the State Committee. If a vacancy occurs in the office of State Chairman, caused by death, resignation, or otherwise, and the Chairman is a woman, then the Vice Chairman shall be the Acting Chairman until the next meeting of the State Committee.
- C. Vice Chairwoman: The duties of the Vice Chairwoman are to assist the State Chairman, act as liaison between the Republican Party and the Republican Women of North Dakota, and to perform such other duties as the State Chairman may from time to time request. She is also charged with building, developing, and promoting Republicanism in every form in North Dakota. If a vacancy occurs in the office of State Chairman, caused by death, resignation, or otherwise, and the Chairman is a man, then the Vice-Chairwoman of the State Committee shall be the Acting Chairman until the next meeting of the State Committee.
- D. Secretary: The Secretary of the State Committee shall attend the meetings of the State Committee and keep the minutes of the proceedings in a book provided for that purpose. The record of said minutes shall be certified and attested by the Secretary and delivered into the hands of the State Chairman and copies provided to the District Chairmen. The Secretary shall provide copies of the State Committee and the Executive Committee minutes to all legislators that request to have their names placed on the mailing list for minutes.
- E. Treasurer: The Treasurer of the State Committee shall be the custodian of all moneys belonging to the State Committee and shall pay out the same only on the direction of the State Chairman. He shall keep a strict accounting of all moneys received and paid out with the date of such receipt and payments, from whom received, to whom paid and for what purpose, which account at all times shall be accessible to the State Chairman. At the end of his term of office, he shall turn over to his successor all moneys, books, and papers of the State Committee remaining in his hands.
- F. Removal. The State Committee may remove from office any Party Official for neglect of duty, malfeasance, absence from office, conduct unbecoming of a Party Official, or for other cause as determined by the State Committee.

Section 9. Conflict of Interest

The nomination, endorsement, or filing as a candidate for any state or federal office by an officer of the State Committee, or by the National Committeeman or National Committeewoman, will automatically constitute his or her resignation from such office.

ARTICLE IV - EXECUTIVE COMMITTEE

Section 1. Purpose

The Executive Committee shall be responsible for the execution of the policy of the State Committee with relation to the political organization and management of the Republican Party within the state and shall guide and coordinate political activities and campaigns throughout the state.

Section 2. Membership

The Executive Committee of the State Committee shall consist of the State Chairman, the Vice Chairman, Vice Chairman, Secretary, Treasurer, National Committeeman, National Committeewoman, the Party's floor leaders in the House of Representatives and Senate, and a representative of State Party Elected Officials together with four Regional District Chairmen as elected in Article III, Section 4. Vacancies shall be filled by the State Committee, upon fifteen days' notice.

Section 3. Meetings

Meetings of the Executive Committee shall be called by the State Chairman upon notice to each member of the Executive Committee.

Section 4. Voting

A majority vote of the members of the Executive Committee shall be required for the transaction of business at all meetings.

Section 5. Duties

- A. To be responsible for carrying into effect the policies and programs promoted and promulgated by the State Republican Conventions and of the State Committee.
- B. To approve the State Chairman's appointments of standing committees on (1) Research, (2) Organization, (3) Publicity, (4) Finance and Auditing, (5) Campaign, and any other necessary committees.
- C. To do any and all other acts necessary to accomplish the programs and policies of the State Committee and State Convention.
- D. To establish a North Dakota Republican Party Federal Committee, which shall be responsible for raising and spending money for federal candidates. This Federal Committee shall be the only State Party Committee which shall raise money for Federal candidates and shall follow the laws and rules of the Federal Election Commission.

ARTICLE V - EXECUTIVE COMMITTEE MINUTES

Minutes of all Executive Committee meetings will be circulated to the District Chairmen for them to comment on and review at the next meeting of the State Committee.

ARTICLE VI- DISTRICT COMMITTEES

Section 1. Organization

The Republican Precinct Committeemen elected or appointed as provided by law together with the Republican nominees for, and the members of the Legislative Assembly and the officers of the District Committee shall constitute the District Committee of the Republican Party within each legislative district.

Section 2. Meetings

The District Committee shall meet in every odd-numbered year within fifteen days after the precinct caucus. A precinct caucus shall be held on or before May 15 following each General Election. The time and place of the District Committee and precinct caucus meeting shall be set by the District Chairman. The District Committee shall have such other meetings as are duly called by the Chairman and at such other times as five members of the District Committee in writing request the Chairman that a meeting be held.

Section 3. Officers

The officers of the District Committee shall be a Chairman, one or more Vice Chairmen, a Secretary, and a Treasurer.

The District Committee shall select an Executive Committee consisting of from five to eighteen persons chosen from eligible District members. The Chairman, one or more Vice Chairmen, Secretary and Treasurer of the District Committee shall be members and officers of the Executive Committee. The Party's nominees for and members of the Legislative Assembly shall also be members of the Executive Committee. The five to eighteen person membership limitation shall include the officers of the Executive Committee and the Party's nominees for and members of the Legislative Assembly. Any officer of the District Committee may be removed by a two-thirds vote of the members of the District Committee at a duly called meeting of the District Committee.

Section 4. Rules

The District Committee shall have the authority to adopt its own Rules and Modes of Procedure so long as they do not conflict with the Rules of the State Committee. The District Committee may include in its own Rules payment of a specified amount of dues to establish affiliation with the Republican Party. The District Committee may limit entry to District Conventions and District meetings to those who satisfy the membership criteria for the District.

Comment: A person wishing to join the North Dakota Republican Party may submit dues to State Party Headquarters, or to a District by contributing to the North Dakota Republican Party. Likewise, a person wishing to contribute to a District would make payment to the District, if the District so provides in its bylaws. A person making a contribution to the District does not become a member of the North Dakota Republican Party.

Section 5. Duties

To do all other acts necessary to accomplish the programs and policies of the State Committee, the State Convention, and the District Convention.

Section 6. DataCenter

DataCenter information is the property of the State Committee, and access shall be provided to the chairmen of each legislative district, endorsed candidates for legislative and statewide office, and local users authorized by the District Chairman. Access to DataCenter shall not be provided candidates for state legislative office who are not endorsed by the legislative district nor to statewide candidates who are not endorsed at the State Convention. If a non-endorsed candidate for legislative office is the party's nominee by way of a June primary election, then DataCenter access shall be provided at the candidates' request. No state party official, District Chairman, or other authorized user shall transfer DataCenter information to a non-authorized user at any time. All Datacenter users shall complete training provided by the State Party and sign a list ownership and confidentiality agreement before being provided access.

ARTICLE VII- PROXIES

Proxies are only permissible at State Committee meetings and not at any precinct or district meetings. All persons exercising proxies shall be residents of the district which the person giving the proxy represents, and shall provide written authorization. Each authorized person shall have one vote.

ARTICLE VIII - ROBERT'S RULES OF ORDER

All matters of procedures of meetings and conventions shall be based on and governed by the latest edition of Robert's Rules of Order, Newly Revised.

ARTICLE IX – AMENDMENTS

Section 1. These Rules may be amended by a two-thirds vote of the State Committee present, provided fifteen days' notice has been given to each member of any proposed amendment.

Section 2. These Rules may be temporarily suspended during any convention of the Republican Party of North Dakota by a vote of two-thirds of the elected delegates.

STATE ENDORSING CONVENTION RULES

(Revised April 1, 2016)

RULE NO. 1. CALL OF THE CONVENTION

Ninety (90) days prior to the State Republican Endorsing Convention, the State Chairman and the State Executive Committee shall issue to the State Republican Committee the Call of the Convention. The Call of the Convention shall include the purpose, date, place, and the time of the State Republican Endorsing Convention.

RULE NO. 2. DEFINITION OF "LEGISLATIVE DISTRICTS"

Delegates and alternates to the State Republican Endorsing Convention shall be allotted as provided by these Convention Rules.

RULE NO. 3. DELEGATES AND ALTERNATES

Section 1. District Endorsing Convention. During the period between January 1 and March 1 of an even year the District Chairman shall call a convention for the purpose of electing delegates and alternates to the State Republican Endorsing Convention.

Section 2. Eligibility. Delegates and alternates to the State Republican Endorsing Convention must be an American citizen of voting age (18) by the time the convention is called to order, must have been a resident of the District for the 30 days immediately preceding the District Convention, and must be a dues paying member of the North Dakota Republican Party at the time of the District Convention and forward those dues to the State Party before the convention. No person may seek election as a delegate or alternate in more than one District during one election cycle. In addition, the delegates and alternates must have voted or affiliated with the Republican Party in the last general election or intend to vote or affiliate with the Republican Party in the next general election.

Section 3. Non-Discrimination. No American citizen eligible to vote shall be denied from participating as a delegate or alternate for reasons of sex, race, religion, color, age or national origin.

Section 4. Allocation of Delegates and Alternates Between Districts. Delegates and alternates to the 2016 State Republican endorsing convention shall be allocated as follows:

- A. One delegate for every 300 votes cast for the Republican candidate for Governor in the previous General Election. In the event that a Legislative District has 100 percent new territory as compared to the Legislative District's territory in the prior election cycle, that Legislative District shall receive delegates equal to the average number of delegates granted under this subsection (4a) for all the Legislative Districts from which the territory of the new district was acquired during the prior election cycle, rounded up.
- B. One delegate for every 300 votes cast for the Republican candidate for U.S. House of Representatives in the previous General Election. In the event that a Legislative District has 100 percent new territory as compared to the Legislative District's territory in the prior election cycle, that Legislative District shall receive delegates equal to the average number of delegates

- granted under this subsection (4b) for all the Legislative Districts from which the territory of the new district was acquired during the prior election cycle, rounded up.
- C. One delegate for every 300 votes cast for the Republican candidate for President in the previous General Election. In the event that a Legislative District has 100 percent new territory as compared to the Legislative District's territory in the prior election cycle, that Legislative District shall receive delegates equal to the average number of delegates granted under this subsection (4c) for all the Legislative Districts from which the territory of the new district was acquired during the prior election cycle, rounded up.
- D. One delegate for each Republican Legislator elected in the last legislative election cycle for that Legislative District. In the event that a Legislative District has 100 percent new territory as compared to the Legislative District's territory in the prior election cycle, that Legislative District shall receive bonus state legislator delegates equal to the average of all the Legislative Districts from which the territory of the new district was acquired during the prior election cycle, rounded up.
- E. One bonus delegate shall be awarded to a district for every 20 dues-paying members of the North Dakota Republican Party from that district at the end of the preceding calendar year.
- F. One bonus delegate shall be awarded to a district for every 5 percentage points of increase in the number of dues-paying members of the North Dakota Republican Party from that district at the end of the preceding calendar year compared to the number on January 1 of that year.
- G. Total bonus delegates awarded under subsections 4(E) and 4(F) shall not exceed 25% of the delegates awarded under subsections 4(A) 4(D).
- H. Each Legislative District will be entitled to at least five delegates.
- I. Each Legislative District shall be afforded a number of Alternate Delegates to the State Republican Endorsing Convention equal to the number of Regular Delegates under this section.
- J. One delegate for each member of the State Executive Committee who is not a District Chairman.

Section 5. Election of Delegates. The District Chairman and all members of State Committee and State Executive Committee residing in the District shall be delegates. The District Executive Committee may elect a maximum of ten percent of the District's delegates to elected officials, District officers, or other persons in consideration of long service to the party or responsibilities at the State Endorsing Convention. All remaining Delegates to the Republican State Endorsing Convention must be elected by plurality vote of qualified Republican District Convention voters physically present at a District Convention called for such purpose.

The District Chairman or District Executive Committee may appoint a nominating committee for the purpose of recommending candidates for election as delegates. The selection of recommended candidates may optionally be determined by assigning points to criteria set forth by the nominating committee.

To be nominated as a delegate, a candidate who is unable to personally attend the District Convention must personally contact the District Chairman, indicate interest in being nominated, and provide evidence that the candidate meets all district membership criteria. Any person attending a District Convention whose eligibility to serve as a delegate based on the District's membership criteria has been verified may be nominated from the floor.

If the number of persons nominated for election as a delegate is greater than the number of delegate slots available for that district, the delegates must be elected by secret ballot. If the number of persons submitting their name for delegate election is equal to or less than the number of slots available for that district, a majority voice vote on the proposed slate of delegates may be permitted. Proxy voting is not permitted.

All names placed in nomination must be included on a uniform paper ballot for use by all eligible voters. Names shall be placed on the ballot in the order in which they were nominated. To tally the votes, election tellers may be appointed by the District Chair or Executive Committee.

Alternate delegate slots shall be filled by those delegate candidates who receive the greatest number of votes, with the ascending vote totals determining alternate delegate priority. A majority of votes is not necessary for the selection of alternate delegates.

Section 6: State Convention delegate and alternate delegate vacancies remaining after a district convention, or created by delegate or alternate delegate withdrawal, shall be filled at the discretion of the respective District Executive Committees.

RULE NO. 4. CERTIFICATION OF DELEGATES

Consistent with the other provision of these Rules, only delegate or alternate delegate applications postmarked or hand delivered by the Monday preceding the beginning of the Republican State Nominating Convention shall be deemed timely. Late filing applicants shall not be seated as delegates or alternate delegates.

RULE NO. 5. TEMPORARY ROLL

The names of the delegates and alternates listed by the District Chairman shall be placed upon the temporary roll of the convention by the State Chairman.

No person on the temporary roll of the convention and whose right to be seated as a delegate or alternate is being contested shall be entitled to vote on the convention floor until by a vote of the convention the contest as to such person has been finally decided and such person is permanently seated, except that any such person may be accorded the right to so vote, except in matters involving the credentials of that person by an affirmative vote of a majority of the State Committee on the Committee on Credentials.

RULE NO. 6. CONTESTING DELEGATE SEATING

Section 1. Notice of contests shall state the grounds for contesting the seating of a delegate or delegates and shall be filed no later than two days before the scheduled meeting of the Committee on Credentials. The notice of contest shall be filed with the Secretary of the Republican State Committee and shall be sent simultaneously via registered mail to the delegate or delegates being contested.

Section 2. A challenge to the seating of a delegate or delegates can only be made by a resident of the Legislative District in question.

RULE NO. 7. ADMISSION TO THE CONVENTION HALL

Section 1. Only those persons wearing badges identifying them as delegates, officers of the convention, Republican statewide office holders, Republican US Senator, Republican US House member, pages, sergeants of arms, special guests of the convention, candidate floor managers or members of the media shall be admitted to the convention hall designated for delegates.

Section 2. Those persons wearing badges identifying them as alternates will have seats at a designated spot on the floor of the convention.

Section 3. The rest of the convention hall will be open for guests to observe the convention as seating permits.

RULE NO. 8. STATE ENDORSING CONVENTION COMMITTEES

Section 1. The Committee on Credentials

Each Region will be entitled to two members each on the committee to be chosen by the Regional Chairman. The State Chairman will appoint the Committee Chairman to be confirmed by the State Executive Committee.

The Credentials Committee will certify all delegates and alternates to the State Republican Endorsing Convention before the State Republican Endorsing Convention conducts any official business. The Committee will announce the number of delegates certified to vote at the beginning of each ballot taken during the State Republican Endorsing Convention. The Credentials Committee will also resolve any disputes over credentials that may come before the State Republican Endorsing Convention.

Section 2. The Committee on Resolutions

The Committee on Resolutions will produce the Platform of the Republican Party of North Dakota, a clear and concise collection of position statements highlighting our core principles. Resolutions not of state or national relevance, temporary in nature, or duplicative of other resolutions shall not be considered.

Each District Chairman shall give due consideration for the rules and goals relative to resolutions and in doing so, will name one member to the Committee on Resolutions. At least 90 days prior to the Convention, the House Floor Leader and the Senate Floor Leader shall each appoint one Committee Co-Chairman. If such appointment has not been made, the State Chairman will fill any vacancy, to be confirmed by the State Executive Committee.

The Co-Chairmen will schedule 4 regional meetings open to all Republicans prior to the convention to allow for the free exchange of ideas. Resolutions will be collected at these meetings and through District Chairs or appointed members of the Resolutions Committee. Resolutions must be presented to the Committee at least 24 hours before the Committee convenes for its first session.

The Resolutions Committee shall meet in person at least two weeks prior to the start of the State Convention, and must complete its consideration of the Resolutions prior to the start of the State Convention, so that upon arrival at the convention delegates are provided with a copy for their consideration.

In order to be accepted by the committee, a resolution must pass with a 2/3 majority vote of those members of the committee present. Resolutions which do not meet this threshold shall not be considered at the State Convention.

The Resolutions offered by the Committee on Resolutions shall be voted upon as a package by the convention by written or electronic ballot at the time specified in the official convention agenda and counted by the State Executive Committee or its agents. It shall be ruled out of order for the Convention Chairman to permit debate or amendment on resolutions, either as separate resolutions or as a Resolutions Committee Report.

Section 3. The Committee on Rules

Each Region will be entitled to one member on the committee to be chosen by the Regional Chairman. The State Chairman will appoint the Committee Chairman to be confirmed by the State Executive Committee.

The Committee on Rules will establish the rules for the State Republican Endorsing Convention subject to approval by the State Committee.

Section 4. The Committee on Permanent Organization

The Committee shall consist of the National Committeeman, the National Committeewoman, the State Chairman, and two members from each region, chosen by the Regional Chairman. The National Committeeman and the National Committeewoman shall serve as Co-Chairmen.

The Committee shall nominate the permanent Chairman of the Convention and other officers the convention shall need. In addition, the Committee shall act as the nominating committee for a slate of delegates and alternates to attend the National Republican Convention. The Committee shall post an application form on the Party website, and include the weighted criteria used to select a slate of delegates, which shall include being elected as a delegate to the prior year's State Endorsing Convention, volunteerism on behalf of the Party, service as a state or party official, running for office, contributions to the District or State Party and other criteria provided by the Committee, and may reserve a number of positions for new members of the Party. Applications to become a candidate for national delegate must be signed by the applicant's district chair and submitted with the state delegate registration materials. Applications must be received by the deadline to register for the state convention.

Finally, the Committee shall nominate the electors to represent the Republican Candidate for President on the North Dakota election ballot.

RULE NO. 9. MINORITY REPORTS: AMENDMENTS

Section 1. In order for a minority report of a committee report to be considered on the floor of the Convention, the minority report must receive the support of 25% of the members of the committee.

Section 2. No minority report pertaining to the report of the Committee on Credentials shall be in order.

RULE NO. 10. ORDER OF BUSINESS

The Order of Business of the State Republican Endorsing Convention shall be as follows:

- 1. Call to Order by the State Chairman or the State Chairman's designee.
- 2. Election of a Temporary Chairman and Temporary Secretary.
- 3. Appointment of Committee on Credentials, Committee on Rules, Committee on Resolutions, and Committee on Permanent Organization by the Temporary Chairman.
- 4. Report of Credentials Committee and seating of delegates.
- 5. Election of Permanent Chairman and Secretary.
- 6. Accept the Rules Committee report.
- 7. Endorsement of Statewide officers, National Committee members, National Convention delegates, and National electors with the order of endorsement to be at the discretion of the State Executive Committee.
- 8. Accept the Resolution Committee report.

RULE NO. 11. CANDIDATES ENDORSED BY THE STATE REPUBLICAN ENDORSING CONVENTION

Section 1. National Committeeman-National Committeewoman

In a Presidential election year the State Republican Endorsing Convention will nominate and elect a National Committeeman and National Committeewoman for the purpose of Representing the North Dakota Republican Party on the Republican National Committee.

In order to have their name placed in nomination, candidates for National Committeeman and National Committeewoman must submit a written petition signed by one delegate from five Legislative Districts.

The National Committeeman and National Committeewoman shall serve a term of four years.

Section 2. Delegates-Alternates to the Republican National Convention

In a Presidential election year, the Committee on Permanent Organization will present a slate of delegates and alternates to the State Republican Endorsing Convention from persons who applied to the committee from nomination. Any sitting Republican North Dakota State Governor, U.S. Senator, or U.S. Representative shall, without application to the committee, be deemed to have applied to the committee and shall be presented on the slate. Nominations may be made from the floor, and shall be added to the bottom of the ballot in the order nominated. Only those persons who applied to the committee, but were not nominated as a delegate will be eligible to be nominated from the floor. The delegate candidates receiving the highest vote totals equaling the number of delegate slots available shall be elected as delegates to the Republican National Convention. The remaining delegate candidates receiving the next highest vote totals shall be elected as alternate delegates to the Republican National Convention. Ties shall be decided by lot.

Section 3. National Electors

In a Presidential election year, the Committee on Permanent Organization will present a slate of three electors to represent the Republican Candidate for President on the North Dakota General Election Ballot. Nominations may be made from the floor. In the event nominations are made from the floor, a nominee must receive a majority of the votes and finish in the top three in order to be elected

Section 4. Statewide Officers

The State Republican Endorsing Convention shall endorse one candidate for each statewide office appearing on the North Dakota Primary Election Ballot that year.

RULE NO. 12. CREDENTIALS

Issues regarding credentials shall be presented to the Credentials Committee. Adoption by the Convention of a Credentials Committee report of certified delegates shall determine the number of delegates eligible to vote.

The Credentials Committee will report to the Convention any changes in the total number of certified delegates before the conduct of business at each session of the Convention and before the vote of endorsement for any office for which two or more candidates have been nominated.

The Chair of each District delegation shall have authority to fill a vacancy in that District's certified delegation from among its registered alternates or other electors.

An updated Credentials Report by district will be given thirty minutes prior to each ballot, or as nearly thereto as may be practicable. Only those credentialed as of the deadline prior to balloting will be allowed to mark a ballot and cast a vote.

RULE NO. 13. NOMINATING

Section 1. In order for a Statewide Candidate to have his/her name placed in nomination he/she must by 5:00 p.m. the Tuesday prior to the state convention submit signatures from one delegate from six Legislative

Districts and must disclose to the Chairman in writing any use of a candidate's or other party's personal or campaign funds to pay the delegate fees of any seated delegate.

Section 2. After the Convention Chairman has opened the floor for nominations, the Convention Secretary will call the roll of the Districts for the purpose of making a nomination. If there is only one candidate for nomination who has the required support as spelled out in Section 1 of Rule No. 8, a motion to nominate for such office by acclamation shall be in order.

Section 3. If only one candidate has met the requirements Section 1, then nominating speeches for the uncontested candidate shall be limited to one nominating speech or resolution of support, one seconding speech, a speech from the candidate, and optional floor demonstration, the total of which shall not exceed a total of twenty minutes. The acceptance speech shall be limited to five minutes.

If more than one candidate has met the requirements of Section 1, then the nominating speeches for each candidate shall be one nominating speech and up to two seconding speeches, a speech from the candidate, and an optional floor demonstration, the total of which shall not exceed a total of thirty minutes. The acceptance speech shall be limited to ten minutes.

The Convention Chairman shall have the duty to enforce the above time limits as the circumstances warrant.

Section 4. Non-delegates may participate in the demonstrations following the nomination of a candidate. It will be the responsibility of the candidate to make sure the floor is cleared of all non-delegates once the demonstration has concluded.

RULE NO. 14. BALLOTING

Section 1. Votes shall be conducted by secret ballot. Ballots shall be furnished by the Convention. Each certified delegate shall be entitled to cast one vote for each office. The delegate or alternate designated by the District Chairmen must be present on the floor of the Convention to cast their vote. No proxy voting will be allowed.

Section 2. The Convention Secretary shall call the roll for the vote count in numerical order.

Section 3. The Chairman of each District delegation shall report the results of the District balloting in writing on the vote report furnished by the Secretary of the Convention. The Chairman shall sign the vote report. The signed vote report and all ballots shall be placed in the report envelope and the report envelope shall be delivered to the Convention Secretary.

Section 4. When the Convention Secretary has received the vote report of every District, the Convention Secretary shall call the roll of the Districts. As each District is called, the Chairman of the District shall announce the District's vote. After the announcement of each District's vote, the Convention Secretary shall release the District's vote report to tellers appointed by the Convention Chairman for tallying. In the event of a variance between the vote report and the vote as announced by the District Chairman, the vote report shall be the official count unless changed by a polling of the delegation. The Convention Secretary shall repeat the vote and the same shall be recorded.

Section 5. Before the next District is called, any delegate may demand a polling of his or her delegation. If such a demand is made, the Convention Secretary shall poll the delegation individually and announce and record the vote before proceeding to the next District. The Convention Secretary shall not release the results of any vote report until after the same has been announced by the District Chairman.

Section 6. No delegate or alternate shall be bound by any attempt of any District to impose the unit rule on the delegation.

Section 7. If two rounds of balloting have been completed, and no candidate has achieved a majority, the candidate with the lowest tally on any subsequent ballot shall be eliminated from future ballots. At no time may this section be used to reduce the number of candidates on the ballot to less than two.

Section 8. The balloting on candidates shall continue until a candidate shall have received a majority vote of the certified convention delegates. If a majority is reached during the announcement and tallying of votes, the Convention Secretary shall continue the calling and counting until every District has announced its vote and all votes are recorded.

At the conclusion of the balloting during which a candidate has received a majority vote of the certified delegates, the Convention Chair shall declare the candidate endorsed and the official candidate of the North Dakota Republican Party at the Primary Election to be held in June.

Section 9. The Republican Party through the Rules Committee for the convention may establish procedures for electronic balloting during the convention, so long as sufficient assurances are provided via audit trail to protect the integrity of the balloting process of the convention.

RULE NO. 15. LIMITATION OF DEBATE

The Convention Chairman may prescribe a reasonable time limit on discussion of any issue before the Convention. Each delegate shall be limited to one four-minute statement on any issue before the Convention and a two-minute rebuttal.

RULE NO. 16. MAJORITY REQUIRED

All endorsements and other questions properly before the Convention shall be determined by a majority of the votes cast by delegates certified by the Credentials Committee with the exception of Republican National Convention delegates and alternates provided a quorum is present.

RULE NO. 17. ROBERT'S RULES OF ORDER

Except as otherwise provided herein, the latest edition of Robert's Rules of Order, Newly Revised, and the North Dakota Century Code shall govern the proceedings of the State Republican Endorsing Convention. To the extent that any conflicts exist, the Rules of the North Dakota Republican State Committee are temporarily suspended.

RULE NO. 18. VACANCIES

In the event of the death, resignation, disqualification, or disability of any candidate for office, such a vacancy shall be filled by a special convention made up of the Republican State Committee. The North Dakota Republican State Chairman will be responsible for calling such a Special Convention.

RULE NO. 19. SUSPENSION OF THE RULES

Any convention rule may be temporarily suspended by a two-thirds (2/3) vote of all certified delegates.

RULE NO. 20. PRESIDENTIAL CANDIDATE FOR WHOM DELEGATES ARE BOUND TO VOTE AT THE REPUBLICAN NATIONAL CONVENTION

Delegate Allocation: North Dakota's delegates to the Republican National Convention shall caucus prior to or at the convention to discuss voluntarily apportioning delegate representation on the first ballot to reflect the results of the Presidential Caucus, with any fractional result rounded to the nearest whole delegate. However, any such apportionment on the first ballot shall be strictly voluntary. The delegates remain free to vote their conscience on all balloting.

Delegate Selection: North Dakota's delegates to the Republican National Convention shall be selected in accordance with applicable state and national Republican Party requirements.

RULE NO. 21 PRESIDENTIAL CAUCUS RULES

The Committee on Rules will determine Republican Presidential Caucus Rules. Such rules will become effective upon a majority vote of the Republican State Committee, no later than is consistent with the provisions of North Dakota State Law.



CERTIFICATE OF VOTES

GIVEN BY ELECTORS FOR PRESIDENT AND VICE-PRESIDENT

LIST OF ALL PERSONS VOTED FOR AS PRESIDENT, WITH THE NUMBER OF VOTES FOR EACH

NAME OF PERSON VOTED FOR

Donald J. Trump

NUMBER OF VOTES

Eighteen

WE THE UNDERSIGNED, ELECTORS OF PRESIDENT AND VICE-PRESIDENT OF THE UNITED STATES OF AMERICA FOR THE RESPECTIVE TERMS OF FOUR YEARS beginning on the Twentieth day of January, two thousand and SEVENTEEN, BEING ELECTORS DULY AND LEGALLY APPOINTED AND QUALIFIED BY AND FOR THE STATE OF OHIO, AS APPEARS BY THE ANNEXED LIST OF ELECTORS, MADE, CERTIFIED, AND DELIVERED TO US BY THE EXECUTIVE OF THE STATE, HAVING MET AND CONVENED AT THE STATEHOUSE, IN THE CITY OF COLUMBUS, IN THE STATE OF OHIO, IN PURSUANCE OF THE DIRECTION OF THE LEGISLATURE OF SAID STATE, ON THE FIRST MONDAY AFTER THE SECOND WEDNESDAY IN DECEMBER, BEING THE NINETEENTH DAY OF DECEMBER, TWO THOUSAND AND SIXTEEN;

DO HEREBY CERTIFY, THAT, BEING SO ASSEMBLED AND DULY ORGANIZED, WE PROCEEDED TO VOTE BY BALLOT, AND BALLOTED FIRST FOR SUCH PRESIDENT, AND THEN SUCH VICE-PRESIDENT, BY DISTINCT BALLOTS;

AND WE FURTHER CERTIFY, THAT THE FOLLOWING ARE TWO DISTINCT LISTS; ONE, OF THE VOTES CAST FOR PRESIDENT, AND THE OTHER, OF THE VOTES FOR VICE-PRESIDENT, SO CAST AS AFORESAID.

IN WITNESS WHEREOF, WE HAVE HEREUNTO SET OUR HANDS, AT THE Statehouse, in the City of Columbus, in the State of Ohio, on the FIRST MONDAY AFTER THE SECOND WEDNESDAY IN DECEMBER, BEING THE NINETEENTH DAY OF DECEMBER, TWO THOUSAND AND SIXTEEN.

LIST OF ALL PERSONS VOTED FOR AS VICE-PRESIDENT, WITH THE NUMBER OF VOTES FOR EACH

NAME OF PERSON VOTED FOR

Michael R. Pence

NUMBER OF VOTES

Eighteen

JAMES WERT CABL CHERYL BLAKELY

MARILYN ASHICKAJT

Blakely

Blakely

MARILYN ASHICKAJT



LEEANN JOHNSON Thuyn

IN THE COURT OF COMMON PLEAS STARK COUNTY, OHIO

DEBORAH L. CAIN 12896 Sunset Cir. NW Uniontown, Ohio 44685-9168

and

ANDREW J. DILIDDO, JR. 3133 Cloverhurst St. NE Canton, Ohio 44721-2780

Plaintiffs,

VS.

CHRISTINA HAGAN 10418 Beeson St. NE Alliance, OH 44601-9757

Defendant.

Case No.:

Judge:

VERIFIED COMPLAINT FOR DECLARATORY AND INJUNCTIVE RELIEF

I. NATURE OF THE ACTION

1. In this action, Plaintiffs Deborah Cain and Andrew J. DiLiddo—both residents of Ohio's 50th State House District—seek declaratory and injunctive relief against their State Representative, Defendant Christina Hagan. Hagan is an Electoral College member who is about to cast an illegal vote for Donald J. Trump in contravention of Ohio Constitution, Article II, Section 4. That provision bars an Ohio General Assembly member from also serving as a federal or other state public

official—unless that member resigns from her assembly seat. The Ohio Supreme Court has held that the office of Ohio presidential elector is a state office. Hagan would thus be violating Ohio's Constitution and acting illegally to vote in the Electoral College.

II. PARTIES

- 2. Defendant Christina Hagan currently represents Ohio's 50th House district in the Ohio General Assembly's House of Representatives. She was appointed to her seat in 2011 and was recently reelected on November 8, 2016. She has not resigned.
- 3. Plaintiff Deborah L. Cain, is a resident of Uniontown, Ohio and a Hagan constituent residing in the 50th district.
- 4. Plaintiff Andrew J. DiLiddo, Jr., is a resident of Canton, Ohio and a Hagan constituent also living in the 50th district.
- 5. Both Cain and DiLiddo—as well as all other 50th District residents—are entitled to representation by a representative who is not violating Ohio's Constitution by holding multiple public offices. Both Cain and DiLiddo are registered voters in Stark County.

III. JURISDICTION AND VENUE

6. The Court has original jurisdiction under R.C. 2305.01.

7. Venue is proper under Ohio Civ. R. 3(B) because Defendant Christina Hagan resides in Stark County, as do Plaintiffs Deborah Cain and Andrew DiLiddo, Jr.

IV. FACTUAL ALLEGATIONS

- 8. On December 1, 2016, the office Ohio Secretary of State, Jon A.

 Husted ascertained that State Representative Christina Hagan had been voted as a presidential elector for Republican Party nominee, Donald J. Trump. Governor John Kasich certified this on December 7, 2016. (See attached Certificate of Ascertainment.)
- 9. Unless enjoined, Defendant Hagan on December 19, 2016 will meet in the state capitol to fulfill her duties as a presidential elector and vote for the Republican Nominee, Donald J. Trump, for President of the United States under R.C. 3505.40.
- 10. The Ohio Constitution in relevant part prohibits members of the General Assembly from serving in other public offices:

II.04 Eligibility

No member of the general assembly shall, during the term for which he was elected, unless during such term he resigns therefrom, hold any public office under the United States, or this state, or a political subdivision thereof; but this provision does not extend to officers of a political party, notaries public, or officers of the militia or of the United States armed forces.

- 11. The Supreme Court of Ohio has held that "the office of presidential elector is a state office..." State ex rel. Beck v. Hummel, 150 Ohio St. 127, 147, 80 N.E.2d 899 (1948).
- 12. By serving as a presidential elector without resigning her office as a General Assembly member, Defendant Hagan is violating Ohio's Constitution and her duties to her constituents. And she is violating her oath of office to "support... the Constitution of the State of Ohio, and faithfully... discharge and perform all of the duties incumbent upon me as a member of the Ohio House of Representatives"—duties that include not serving in other public offices.

VI. CLAIMS

CLAIM 1: VIOLATION OF OHIO CONSTITUTION, ARTICLE II, SECTION 4

- 13. Plaintiffs incorporate all previous allegations.
- 14. Plaintiffs assert this claim against Defendant Hagan.
- 15. Defendant Hagan has been selected as a presidential elector and, unless enjoined, on December 19, 2016 will vote for president and vice president.
- 16. Under the relevant part of Ohio Constitution, Article II, Section 4, "No member of the general assembly shall, during the term for which [s]he was elected, unless during such term [s]he resigns therefrom, hold any public office under the United States, or this state, or a political subdivision thereof..."

17. Defendant Hagan's conduct directly violates the Ohio Constitution.

She is barred from serving as a presidential elector unless she first resigns as a General Assembly member.

VII. PRAYER FOR RELIEF

Plaintiffs request that this Court provide the following relief:

- (1) An injunction barring Defendant from serving as a presidential elector and from taking any action as a presidential elector, including participating in any meeting with the state's presidential electors for the purpose of discharging the duties imposed on them by the United States Constitution and Ohio law, or voting as a presidential elector—unless she first resigns as a member of the General Assembly,
- (2) A declaratory judgment that Defendant's conduct in serving as a presidential elector is unconstitutional;
- (3) Attorneys' fees and costs incurred for holding Defendant Hagan accountable for her unconstitutional acts.
- (4) Such other relief as this Court deems just and proper.

Respectfully submitted,

THE CHANDRA LAW FIRM LLC

Subodh Chandra (0069233) Donald Screen (00440770) Sandhya Gupta (0086052) Patrick Haney (0092333) Marvin Brown IV (0096128)

1265 W. 6th St., Suite 400

Cleveland, OH 44113.1326

216.578.1700 Phone

216.578.1800 Fax

Subodh.Chandra@ChandraLaw.com

Donald.Screen@ChandraLaw.com

Sandhya.Gupta@ChandraLaw.com

Patrick.Haney@ChandraLaw.com

Marvin.Brown@ChandraLaw.com

Attorneys for Plaintiffs Deborah L. Cain and Andrew J. DiLiddo, Jr.

Verifications

Under oath, I verify the above to be true and accurate to the best of my own knowledge, information, and belief.

State of Ohio	
County of SUMMIT	
Sworn to and subscribed before me on	DECEMBER 17, 2016
at AKRON	, Ohio.
Subrollo	
(Signature of Notary Public)	(Notary Public Seal)
SUBODH CHANDRA	- -
(Printed Name of Notary Public)	
Notary Public, State of Ohio	
My commission expires on	ER EXPLRES)

Notary Public, State of Ohio

My commission expires on _

Under oath, I verify the above to be true and accurate to the best of my own

Certificate of Service

To the Clerk of Courts:

Please serve the Complaint and accompanying exhibit at the addresses listed above, making return according to law.

I certify that for purposes of providing timely notice about this Complaint and the accompanying Motion for Temporary Restraining Order, my office effected service by email to Rep50@OhioHouse.gov, the email address on Hagan's website, and Hagan4Ohio@gmail.com, her personal email address.

Subodh Chandra

One of the attorneys for Plaintiffs



JOHN KASICH Governor of said State

To all to whom these Presents shall come, Greeting:

Certificate of Ascertainment

Pursuant to the act of Congress approved June Twenty-Fifth, 1948, and amended October Thirty-First, 1951, October Fourth, 1961, and October Nineteenth, 1984, entitled "An act to fix the day for the meeting of the Electors of President and Vice-President, and to provide for and regulate the counting of the votes for President and Vice-President and the decision of questions arising thereon," I, John Kasich, Governor of the State of Ohio, do hereby certify that at the election held in the several voting precincts of the State of Ohio, on the Eighth day of November, A.D. 2016; that at a canvass of the official returns of said election, duly made according to law on the First day of December, A.D. 2016, at the office of the Secretary of State of Ohlo, by Jon Husted, Secretary of State, it was duly ascertained that the following named persons were voted for, for the office of Elector of President and Vice-President of the United States, and that each received the number of votes as shown:

DONALD J. TRUMP AND MICHAEL R. PENCE ELECTORS RECEIVED 2,841,005 VOTES

Alex Triantafilou

Mary Anne Christie

Corey Schottenstein

Jim Dicke II

Cheryl Blakely

Marilyn Ashcraft

Christina Hagan

Richard Jones

Tom Coyne

Judy Westbrock

Ralph King

Leonard Hubert

Robert Paduchik

James Wert

Brian Schottenstein

Curt Braden

LeeAnn Johnson

Ed Crawford

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Bethe Goldenfield

Bonnie Dunkelman

Katherine Chipps

Sandra Wise Thomas Galloway

Ann Block

Barbra Lewis

Brittany Maloney

Amy Grubbe

Karl Keith

Janine Boyd

Ed Helvey

Meika Penta

Duane Feher

Carole DePaola

Pamela Miller David Pepper

Rhine McLin

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Robert Bridges Tricia Sprankle

Dustin Nanna Joseph Bowersox

Steven Linnabary Michael John Paul Folker

Ryan Holstine

Richard Ehrbar

Elizabeth Gentner Benjamin Yarboro

William Yarboro

Michelle MacCutcheon

Amy Bridges

Robert Jefferis James Jarvis

Aaron Harris

Phillip Mohorich

Constance Gadell-Newton

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Tekla Taylor-Lagway

Dorsey R. Stebbins Jim Villani

Robert Fitrakis

Stephen Caruso

Suzanne Patzer

Kim Wise Mary A. Rios

Anita Rios

Joseph DeMare

Nathaniel Lane

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Ronald Duncan

Laura Duncan Adrianne Moore Anthony Savarino

Freeman Byler Alex Duncan

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Richard L. Seyer

Thomas Griffin **Brittany Duncan**

David E. Troyer Earl Swonger

Joe Kozsev

Adela Rios

Douglas Jambart Sweet

Connie Hammond

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Judy Stone

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Colin P. Ashley

Joel N. White Susan J. Flaherty Levi W. Stuckey

Phyllis M. Dempsey

William D. Dempsey Roger E. Eckert

Linda L. Eckert

Vincent J. Festa II

Tipton G. Woodard

Jonathan H. Talbot Christopher M. McGraw

Christen M. Varley Donna M. Baker

Matthew F. O'Brien

Kenneth L. Lewis II

Richard E. Toulouse

DARRELL L. CASTLE AND SCOTT N. BRADLEY ELECTORS RECEIVED 1,887 VOTES

Tammy Joy

Gale Joy

Aaron Joy

Eric W. Deaton Dianna S. Anderson Ben Deaton

Frederick Shrader

Denise A. Riley Randy Arnett

Tina M. Arnett

Beverly J. Shrader

Kim Simmons

James W. Simmons Joyce A. Shrader

Donald R. Shrader

Kari Wagers

Andrew J. Wagers

Nancy A. Rieman

BEN HARTNELL AND DAVE MARSHALL ELECTORS RECEIVED 589 VOTES

Kurt Yancey

James Brady

Scott Gaddis

Lane Halterman Damon Mollenkopf Chris Poynter

Jennifer Walpole

Robert Crain

Stephanie McGeorge

Jason Saver

Whitney Mayo Gaven Jones

James Russell

Sean Ring Brandon Allen Elizabeth Beaver

Gabriel Hall

Nathan Hartnell

MICHAEL ANDREW MATUREN AND JUAN ANTONIO MUÑOZ ELECTORS RECEIVED 552 VOTES

Brennan M. Baker

Nathanael P. Braun

Jay D. Bruns

Chad C. Edwards Kitty L. Gamble

Jonathan M. Grodi Theresa M. Grodi

Christopher J. Johnson

Ryan D. Kindell

Austin J. Knuppe

Michael A. Karson

Ryan J. Kupiec

August I. Pacetti

Alexander S. Pyles Brandon D. Scherer Joshua C. Steiner

Jason E. Stone Naomi E. Wall

In Testimony Whereof, I have hereunto subscribed my name, and caused to be affixed the Great Seal of the State of Ohio, at Columbus, the Seventh day of December in the year of our Lord two thousand sixteen and in the two hundred and forty-first year of the independence of the United States of America.

John Kasich Georgian State of Ohio

ATTEST

Jan Husted Secretary of State State of Ohio

Page 2 of 4

Susan Payson Leah Brockhoeft Elaine Triplett Ricky Gantz, Jr.

Tamera Seiler Nikki Grim Laura Burton Wendy Lucas **Beth Morris** David Beck Debra Edwards Terri Kent Laura Morrison

Ryan Muniak Frederick Triplett Robert Ryan Lucas

CHRIS KENISTON AND DEACON TAYLOR ELECTORS RECEIVED 114 VOTES

Kory Kent

Duane A. Frazier

Robert F. Weber

Kathryn Baird

Carl L. Wittenmyer III Erica Dudek

Christopher Peck Michael F. Smith

Heath Bowling Holly Ann Eckert Philip L. Burd, Jr.

Marco Cuevas Jessica Cuevas Clifford A. Rabek Jason King

Hugh Bent, Jr. Michael O. Girdler

Joyce A. Eikenberry

Kimberlee D. Rabek

Connie M. Girdler

LAURENCE KOTLIKOFF AND EDWARD LEAMER ELECTORS RECEIVED 90 VOTES

Amy L. Dietz

Daniel C. Dietz Lynda Gillespie Barbara Craig Timothy Guy **Edward Guy**

Edward F. McKelvey Hirschel Kasper **Hamilton Cauffiel** Charles Moul

Sara Wood Robert Wood Calvin Poznik

Victoria Gracon Martin Saavedra Marc Jeremy Blecher Sharon Weber Blecher

Sean Wood

JOE SCHRINER AND JOE MOREAUX ELECTORS RECEIVED 62 VOTES

James Wayne King

Dale Seefeldt

Dan Basinger Patricia King

Mark Hedge Judy Hedge

Rebekah M. Gambrell Benjamin J. Gambrell

Sarah Bergstrand

Dan Kremer Nancy Kremer Connie Maroscher

Mary Susan Wake

Keith Bates

Cindy Basinger

Robert Kevin Mohr Deborah Sue Mohr

Greg Kidd

MIKE SMITH AND DANIEL WHITE ELECTORS RECEIVED 62 VOTES

Diane Sirlouis

Thomas Himler Bonnie Himler

Betty Cummins Cathy Loughery Caren Cummins Raymond Gentile Joanne Gentile Megan SirLouis

Larry Cummins **Dale Cummins** Christina Kowalski

Cheryl Massie James Massie David Kraft Cindy Kraft Matthew Rider Edna Wells

JOSIAH R. STROH AND PAUL CALLAHAN ELECTORS RECEIVED 30 VOTES Jesse Bowers

Jeremiah Carsey

Emma Carsey

Gattison Greene

Bashar Antoon DeMarcus Suggs

Christina West Rich Anglin

Nathannael Stroh **Drew Clemens** Benjamin McFall

Amy Greene **Bethany Sibbitt**

Alexis Britford

Steve Ward Jennifer Ward

Jacob Swogger

MONICA MOOREHEAD AND LAMONT LILLY ELECTORS RECEIVED 19 VOTES

Sharon Danann

Barbara Louise Jean Shurtleff

Julia Boyd Mattie Haves A. Grace Lee Mims Susan Schnur Donnie M. Pastard Dennis Quarles

Marjorie Clark Jocelyn Clark Joe Gerdy

Bobby L. Goble

Jayme Fredrick

Bobby L. Goble, Jr.

Jacob Stroh

Valerie Robinson Stewart Robinson Jasmine Graham Terrance McLeod Don Bryant Margaret Rice

Jamie A. Cooper-Brocy

Jody A. Porter

Carla Bogan

Jessica Greeno Rebecca Paradis Audra Headley

Rende T. Beeker Alyssa S. Headley

Jeremy Feller **Dustin Vollmar** Roberta Collins

Patricia Christy Sharon Merrill

Amanda Price Vicki L. Goble

JOSEPH MALDONADO AND DOUGLAS TERRANOVA ELECTORS RECEIVED 18 VOTES

Dale Montello John Ahlrichs

Audrey Ahlrichs

Tonya Kellenberger Aaron Kellenberger Christina Gromada Joe Sodd

Nancy Sodd

Mary Appelmann Marian Powell

Lee Powell Brad Goldman

Elise Bailey

Mariah Stalvey

Jessica Fahrner

Ross Stalvey Yolanda Kirschner Parker Bailey

JAMES JEROME BELL AND SCHEEM MILTON HEMPSTEAD ELECTORS RECEIVED 9 VOTES

Timothy M. Bennet, Sr

Marvine Bizzell

Georgia Mixon Cheryl Stewart

Lareka Johnson James Johnson

Shanteia Stewart

Naomi D. Bennett

Napolean Allen Blanche Haynes Mary Frary Gloria Shelton

Fave E. Hill Jeff Mixon

Beverly Tidmoke

Bennie DeLoach

Demi DeLoach

Marquetta Tidmore

BRUCE E. JAYNES AND ROGER W. STEWART ELECTORS RECEIVED 8 VOTES

Jeffrey Spence

Aaron Middleton

Eric Voshel

Charlotte Smith Patrick Wheeler Roger Doty

Judith Doty

Brad Feightner, Jr. Anthony W. Bonsignore

Joel Calabrese

Brent Russell

Aimee Jantz Sarah Pratt

Eli Callis Kim Stewart Sarah Stewart

Brooklyn Stewart Morgan Calbert

MICHAEL BICKELMEYER AND ROBERT YOUNG ELECTORS RECEIVED 6 VOTES

Tim Trammell

Erik Schumacher

Daphne Laurenti Dennis Leonard

Bill Goetz

June Tischler

Victor Ladan Khalid Dam

Elizabeth Hoinke

Violette Shamatta

Paul Hoffman

Jane Hoffman

Dan Logan Judy Golod Jonathan Young

David A. Young April Young

William Schwab

DOUGLAS W. THOMSON AND THOMAS A. DUCRO, JR. ELECTORS RECEIVED 6 VOTES

Dave Daniels

Steve Connor

Joy Carver Deborah Skidmore

Gretchen Thomson

Pam Levinson

Rebecca P. Meyer

Thomas C. Meyer

Samuel Thomson

Nathan Smith

Debbie J. Bruton William J. Eroe

Delma Eroe Velvet Wilson Cheri Schuster

Penny Tieke Charlie Rogers

CHERUNDA FOX AND ROGER KUSHNER ELECTORS RECEIVED 5 VOTES

Emliy Smith

Lavera Pressley

Thomas Brown

Jerriedean Stewart **David Wingate**

Ronnie Smith

Norman Napier

George Crisp

Douglas Martin Jacqueline Martin

Shamya Point

Ian Speight

David Dunbar Danny Riley

LaTaya Burton Joy Jenkins

Danielle Cummings

Nathaniel Jenkins

Roy Jenkins



In Testimony Whereof, I have hereunto subscribed my name, and caused to be affixed the Great Seal of the State of Ohio, at Columbus, the Seventh day of December in the year of our Lord two thousand sixteen and in the two hundred and forty-first year of the independence of the United States of

ATTEST:

America.

John Karich Grimenon State of Ohio

Jan Flusted Secretary of State State of Cha

IN THE COURT OF COMMON PLEAS STARK COUNTY, OHIO

DEBORAH L. CAIN, et al. Plaintiffs, vs.	Case No.: Judge:
CHRISTINA HAGAN, Defendant.	

PLAINTIFFS' EMERGENCY MOTION FOR TEMPORARY RESTRAINING ORDER

Plaintiffs Deborah L. Cain and Andrew DiLiddo, Jr. respectfully move this Court for a temporary restraining order enjoining Defendant Christina Hagan from serving or acting as an Ohio presidential elector in the Electoral College—including voting for Donald J. Trump and Michael Pence at the scheduled December 19, 2016 noon meeting of presidential electors. As the accompanying memorandum of law explains, under Ohio Constitution, Article II, Section 4, Defendant Hagan—as a member of the Ohio general assembly in the House of Representatives—is disqualified from being a presidential elector unless she resigns. Her acting as an elector will cause Plaintiffs—House-district constituents that she represents—irreparable harm.

MEMORANDUM IN SUPPORT

I. Issue presented

The Ohio Constitution prohibits general-assembly members from simultaneously holding any federal or state public office. According to the Ohio Supreme Court, the office of a presidential elector is a state public office. Defendant Christina Hagan is a sitting member of the Ohio House of Representatives, but purports also to serve as a presidential elector. Should this Court enjoin Hagan's constitutional violation and restrain her from casting a ballot for president and vice president?

II. Introduction

Plaintiffs Deborah L. Cain and Andrew J. DiLiddo, Jr. are Stark County, Ohio, residents and are registered voters in that county. Defendant Hagan is a Republican member of the Ohio House of Representatives for the 50th District, which includes Stark County. Governor John Kasich certified her to serve as one of Ohio's 18 presidential electors in connection with the 2016 election. Defendant Hagan thus represents, or purports to represent, Plaintiffs, as well as all of her other constituents, in both capacities. As explained below, however, the Ohio Constitution prohibits such dual-capacity service.

Ohio's presidential electors are scheduled to meet in the Ohio State capitol at noon on December 19, 2016 to cast an electoral-college ballot for president and vice president of the United States. But Defendant Hagan is disqualified from participating in that process and serving as a presidential elector, unless she first resigns from the General Assembly. Should she participate as an elector, and should her vote be counted, Plaintiffs will be irreparably harmed because the

election results will be final. Plaintiffs lack any adequate legal remedy to prevent this result.

III. Law and Argument

In assessing a claim for injunctive relief,

the following four factors are relevant: (1) there is a substantial likelihood of success on the merits, (2) the plaintiff will suffer irreparable harm if the injunction is not granted, (3) no third parties will be unjustifiably harmed by an injunction, and (4) the public interest will be served by an injunction.

Youngstown Edn. Assoc. OEA/NEA v. Kimble, 2016-Ohio-1481, *P18, 63 N.E.3d 649 (7th Dist. 2016), citing Martin v. Lake Mohawk Property Owner's Assn., 7th Dist. No. 04-CA-815, 2005-Ohio-7062, ¶ 36, citing Blakeman's Valley Office Equip., Inc. v. Bierdeman, 152 Ohio App.3d 86, 2003-Ohio-1074, 786 N.E.2d 914, ¶ 19 (7th Dist.). Each of the foregoing factors strongly supports Plaintiffs' entitlement to a temporary restraining order enjoining Defendant Hagan's service as a presidential elector.

A. Plaintiffs have a substantial likelihood of success on the merits of their claim because Ohio Constitution, Article II, Section 4 specifically bars Defendant Hagan as a general-assembly member from serving in another public office—unless she first resigns. And being a presidential elector is serving in a public office.

Ohio Constitution, Article II, Section 4, with certain exceptions not relevant here, in relevant part prohibits general-assembly members from serving in other public offices:

No member of the general assembly shall, during the term for which he was elected, unless during such term he resigns therefrom, hold any

public office under the United States, or this state, or a political subdivision thereof; but this provision does not extend to officers of a political party, notaries public, or officers of the militia or of the United States armed forces.

(Emphasis added.)

According to the Ohio Supreme Court, moreover, "the office of presidential elector is a state office." State ex rel. Beck v. Hummel, 150 Ohio St. 127, 147, 80 N.E.2d 899, 909 (1948). It follows that no sitting member of Ohio's General Assembly—unless that member first resigns that office—may serve as a presidential elector, or perform the acts—like attending a presidential-electors meeting or casting a ballot for president and vice president of the United States, that membership in the electoral college contemplates.

Defendant Hagan is a member of the Ohio House of Representatives, i.e., of the Ohio General Assembly. (See Hagan Ohio House webpage, available at http://www.OhioHouse.gov/Christina-Hagan, attached as Ex. 1.) She also has been appointed to serve as a presidential elector, a state office. (See Certificate of Ascertainment attached as Ex. 2.) Her dual-capacity service violates the Ohio Constitution, Article II, Section 4. Because this conclusion is a straightforward inference from applicable law and undisputed facts, Plaintiffs have a substantial likelihood of succeeding on the merits of their claim. The first factor thus strongly supports Plaintiffs' entitlement to a temporary restraining order.

B. Plaintiffs will suffer irreparable harm if an injunction is not granted because there would be no way to "undo" Defendant Hagan's illegal act of serving as a presidential elector.

Were Defendant Hagan to serve as an elector and cast her ballot for Donald Trump and Mike Pence, Plaintiffs would be irreparably harmed. There is no "turning back" from an election once it is held, or from a ballot once it is cast. Plaintiffs' only opportunity for redress is to enjoin Defendant Hagan's prospective, unconstitutional participation in the election scheduled for December 19.1 The second TRO factor thus supports Plaintiffs' request for injunctive relief.

C. No third parties will be unjustifiably harmed by an injunction.

Enjoining Defendant Hagan from serving as a presidential elector will cause no unjustifiable harm to any third parties. No one can claim harm when a court enforces state constitutional provisions designed to ensure the integrity of the legislative branch. While some may prefer a particular electoral result, being denied one's electoral preference is not a cognizable "harm" justifying the denial of an otherwise meritorious injunction. And no one should be gratified to know that his or her desired election result was procured, even if only in small part, through unconstitutional means. Put another way, everyone benefits from a constitutional process. The third TRO factor thus supports Plaintiffs' request for a temporary restraining order.

¹ In other words, Plaintiffs "lack an adequate remedy at law," a consideration that other courts often employ.

D. The public interest will be served by an injunction because the public interest is always served by following the Constitution.

Similarly, the public interest would also be served by the grant of an injunction. The public has an interest in ensuring the faithful and consistent observance of constitutional prohibitions, particularly those addressing important matters such as legislative or electoral integrity. See G & V Lounge, Inc. v. Michigan Liquor Control Commn, 23 F.3d 1071, 1079 (6th Cir. 1994) ("[I]t is always in the public interest to prevent the violation of a party's constitutional rights").

The legitimacy of next week's election results will be enhanced if only qualified electors are permitted to participate in the process. The fourth factor listed above thus supports Plaintiffs' request for a temporary restraining order.

E. Although no notice to Defendant Hagan should be required in this case, Plaintiffs' counsel made multiple, reasonable notification efforts.

Counsel below certify their efforts to reach Defendant Hagan about the complaint and motion for temporary restraining order. On Friday, December 16, 2016, lead counsel Subodh Chandra sent a detailed email to both Hagan's personal (Hagan4Ohio@gmail.com) and office (Rep50@OhioHouse.gov) email addresses. Email from S. Chandra to C. Hagan dated Dec. 16, 2016 (attached as Ex. 3). Counsel also read the content of that message into Defendant Hagan's office voicemail.

As the email reflects, counsel in both communications asked Defendant

Hagan to acknowledge the message and provide her mobile number—or have an

attorney contact Mr. Chandra's mobile number.

If Defendant Hagan does not respond to these efforts, or fails to cooperate by attending any scheduled hearing (of which counsel will similarly notify her), then the Court should deem these notice efforts reasonable and find that actual notice is not required here. As explained above, Ohio Constitution, Article II, Section 4's plain language could not be clearer. The provision bars a General Assembly member like Hagan from serving in a different public office—which would include serving as an Ohio presidential elector—unless Hagan first resigns from the General Assembly.

Yet she has not resigned. The Court should thus enjoin Hagan from betraying her duty to Ohioans generally and Plaintiffs—her own constituents—specifically.

Conclusion

Plaintiffs have shown their entitlement to an emergency temporary restraining order enjoining Defendant Hagan from serving as a presidential elector, including attending the December 19 noon presidential-elector meeting and casting a vote for president and vice president. The Court should grant such relief before the meeting. A proposed order is attached as Exhibit 4.

Dated:

December 17, 2016

Respectfully submitted,

THE CHANDRA LAW FIRM, LLC



Subodh Chandra (0069233)
Donald Screen (00440770)
Sandhya Gupta (0086052)
Patrick Haney (0092333)
Marvin Brown IV (0096128)
1265 W. 6th St., Suite 400
Cleveland, OH 44113.1326
216.578.1700 Phone
216.578.1800 Fax
Subodh.Chandra@ChandraLaw.com
Donald.Screen@ChandraLaw.com
Sandhya.Gupta@ChandraLaw.com
Patrick.Haney@ChandraLaw.com
Marvin.Brown@ChandraLaw.com

Attorneys for Plaintiffs Deborah L. Cain and Andrew J. DiLiddo, Jr.

Certificate of Service

I certify that the above filing was served upon Defendant Christina Hagan via her email addresses Hagan4Ohio@gmail.com and Rep50@OhioHouse.gov.

My office will also hand deliver it to her home address:

10418 Beeson St., NE Alliance, Ohio 44601-9757

Subodh Chandra

One of the attorneys for Plaintiffs



HOME REPRESENTATIVES COMMITTEES SESSION LEGISLATION BLOGS ABOUT RESOURCES INTERNSHIP OPPORTUNITIES

REPRESENTATIVE

PHOTO GALLERY

COMMITTEES

REPRESENTATIVE CHRISTINA HAGAN (R)

DOWNLOADS

Newsroom

▼ 11.08.16 - Rep. Hagan Meets With International Fellows



State Representative Christina Hagan (R-Alliance) recently met with eight participants in the Legislative Fellows Program for South and Central Asia while they were in Columbus to learn more about the processes and policies behind state government in Ohio. The fellows traveled from India and Pakistan and are professionals involved in the government of their home country. The aim of the program is to provide practical knowledge of democracy that the fellows can take back to their respective countries.

[Read Full Story]

- > 09.08.16 Rep. Hagan To Hold "Ladies In Leadership" Workshop
- ▶ 08.05.16 Rep. Hagan And 2015 Carnation Queen Brittany Ring To Hold Summer Reading Event
- > 08.03.16 "Blue Star Mothers And Families Day" Effective August 5th

[View Representative Hagan's Press Release Archive]

LEGISLATION

Bills Primary Sponsor

Bills Cosponsor

Resolutions Primary Sponsor

Resolutions Cosponsor

SOCIAL MEDIA

Connect With Representative Hagan



CONTACT INFORMATION

Representative Christina Hagan District 50

77 S. High St

13th Floor

Columbus, OH 43215

Phone (614) 466-9078

Fax (614) 719-6950

Email Representative Hagan

BACKGROUND

Hometown : Alliance Party : Republican

Current Term : Expires December 2016 / Eligible to run

for another term







JOHN KASICH Governor of said State

To all to whom these Presents shall come, Greeting:

Certificate of Ascertainment

Pursuant to the act of Congress approved June Twenty-Fifth, 1948, and amended October Thirty-First, 1951, October Fourth, 1961, and October Nineteenth, 1984, entitled "An act to fix the day for the meeting of the Electors of President and Vice-President, and to provide for and regulate the counting of the votes for President and Vice-President and the decision of questions arising thereon," I, John Kasich, Governor of the State of Ohio, do hereby certify that at the election held in the several voting precincts of the State of Ohio, on the Eighth day of November, A.D. 2016; that at a canvass of the official returns of said election, duly made according to law on the First day of December, A.D. 2016, at the office of the Secretary of State of Ohio, by Jon Husted, Secretary of State, it was duly ascertained that the following named persons were voted for, for the office of Elector of President and Vice-President of the United States, and that each received the number of votes as shown:

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Carole DePaola

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Tricia Sprankle Michael John Paul Folker William Yarboro Aaron Harris
Dustin Nanna Ryan Holstine Michelle MacCutcheon

Joseph Bowersox Richard Ehrbar Amy Bridges



Thomas Galloway

Phillip Mohorich

Constance Gadell-Newton

Tekla Taylor-Lagway Gwen E. Marshall

Donald L. Rucknagel

Jim Villani

Robert Fitrakis

Suzanne Patzer

Dorsey R. Stebbins

Stephen Caruso

Anita Rios

Nathaniel Lane

Joseph DeMare

Kim Wise Mary A. Rios Adela Rios

Douglas Jambart Sweet

Connie Hammond

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Ronald Duncan

Laura Duncan

Adrianne Moore

Natalie Ratleff

Anthony Savarino

Freeman Byler

Alex Duncan

Paul C. Miller

Robert Savarino

Richard L. Seyer

Thomas Griffin **Brittany Duncan**

David E. Troyer Earl Swonger

Joe Kozsey Richard R. Stone

Judy Stone

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Colin P. Ashley

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Phyllis M. Dempsey

William D. Dempsey

Roger E. Eckert

Linda L. Eckert Vincent J. Festa II Tipton G. Woodard Jonathan H. Talbot

Christopher M. McGraw

Christen M. Varley

Kenneth L. Lewis II Richard E. Toulouse Matthew F. O'Brien

Donna M. Baker

DARRELL L. CASTLE AND SCOTT N. BRADLEY ELECTORS RECEIVED 1,887 VOTES

Tammy Joy

Gale Joy

Aaron Joy

Eric W. Deaton Dianna S. Anderson Ben Deaton

Frederick Shrader

Denise A. Riley Randy Amett

Tina M. Arnett

Beverly J. Shrader

Kim Simmons James W. Simmons

Joyce A. Shrader

Donald R. Shrader

Kari Wagers

Andrew J. Wagers

Nancy A. Rieman

BEN HARTNELL AND DAVE MARSHALL ELECTORS RECEIVED 589 VOTES

Kurt Yancey

James Brady

Scott Gaddis

Lane Halterman

Damon Mollenkopf

Chris Poynter

Jennifer Walpole Stephanie McGeorge

Jason Saver

Robert Crain

Whitney Mayo

Gaven Jones James Russell

Sean Ring

Elizabeth Beaver

Gabriel Hall Nathan Hartnell

Brandon Allen

MICHAEL ANDREW MATUREN AND JUAN ANTONIO MUÑOZ ELECTORS RECEIVED 552 VOTES

Brennan M. Baker

Nathanael P. Braun

Jay D. Bruns

Chad C. Edwards Kitty L. Gamble

Jonathan M. Grodi

Theresa M. Grodi

Christopher J. Johnson Ryan D. Kindeli

Austin J. Knuppe

Michael A. Karson

Ryan J. Kupiec August I. Pacetti

Alexander S. Pyles Brandon D. Scherer Joshua C. Steiner

Jason E. Stone Naomi E. Wall



In Testimony Whereof, I have hereunto subscribed my name, and caused to be affixed the Great Seal of the State of Ohio, at Columbus, the Seventh day of December in the year of our Lord two thousand sixteen and in the two hundred and forty-first year of the independence of the United States of America.

John Kasich HUME State of Ohit

ATTEST:

Jan Husted Siculary of State State of Oha

Page 2 of 4

Susan Payson Leah Brockhoeft **Elaine Triplett** Ricky Gantz, Jr.

Tamera Seiler Nikki Grim Laura Burton Wendy Lucas

Beth Morris David Beck Debra Edwards Terri Kent

Laura Morrison

Ryan Muniak Frederick Triplett Robert Ryan Lucas

CHRIS KENISTON AND DEACON TAYLOR ELECTORS RECEIVED 114 VOTES

Kory Kent

Duane A. Frazier Kathryn Baird

Marco Cuevas

Robert F. Weber

Carl L. Wittenmyer III

Erica Dudek Clifford A. Rabek Christopher Peck Michael F. Smith Hugh Bent, Jr.

Heath Bowling Holly Ann Eckert Philip L. Burd, Jr.

Sara Wood

Robert Wood

Calvin Poznik

Rebekah M. Gambrell

Benjamin J. Gambrell

Sarah Bergstrand

Larry Cummins

Dale Cummins

Jacob Stroh

Nathannael Stroh

Drew Clemens

Marjorie Clark

Christina Kowalski

Jessica Cuevas Joyce A. Eikenberry Jason King Kimberlee D. Rabek Michael O. Girdler Connie M. Girdler

LAURENCE KOTLIKOFF AND EDWARD LEAMER ELECTORS RECEIVED 90 VOTES

Amy L. Dietz

Daniel C. Dietz Lynda Gillespie Victoria Gracon Barbara Craig

Timothy Guy Edward Guy

Marc Jeremy Blecher Sharon Weber Blecher Edward F. McKelvey Hirschel Kasper

Hamilton Cauffiel

Charles Moul Sean Wood

JOE SCHRINER AND JOE MOREAUX ELECTORS RECEIVED 62 VOTES

James Wayne King

Dale Seefeldt

Martin Saavedra

Dan Kremer Nancy Kremer Cindy Basinger Dan Basinger

Patricia King Connie Maroscher

Robert Kevin Mohr Deborah Sue Mohr Mark Hedge Judy Hedge

Mary Susan Wake Keith Bates

Greg Kidd

MIKE SMITH AND DANIEL WHITE ELECTORS RECEIVED 62 VOTES

Diane Sirlouis

Thomas Himler Bonnie Himler

Cheryl Massie James Massie **Betty Cummins**

Cathy Loughery Caren Cummins

David Kraft

Raymond Gentile Joanne Gentile

Megan SirLouis Matthew Rider

Edna Wells

JOSIAH R. STROH AND PAUL CALLAHAN ELECTORS RECEIVED 30 VOTES

Cindy Kraft

Jeremiah Carsey

Emma Carsey

Bethany Sibbitt

Gattison Greene Army Greene

Jesse Bowers

Christina West Bashar Antoon

DeMarcus Suggs Alexis Britford

Jacob Swogger

Rich Anglin Benjamin McFall

Steve Ward Jennifer Ward

MONICA MOOREHEAD AND LAMONT LILLY ELECTORS RECEIVED 19 VOTES

Sharon Danann

Barbara Louise Jean Shurtleff

Valerie Robinson Stewart Robinson Julia Boyd

Mattie Hayes

A. Grace Lee Mims Jasmine Graham

Terrance McLeod

Susan Schnur

Donnie M. Pastard **Dennis Quarles**

Don Bryant Margaret Rice

Jocelyn Clark Joe Gerdy

JOSEPH MALDONADO AND DOUGLAS TERRANOVA ELECTORS RECEIVED 18 VOTES

Jamie A. Cooper-Brocy

Jody A. Porter Jessica Greeno Rebecca Paradis

Carla Bogan

Audra Headley Rende T. Beeker Alyssa S. Headley

Jeremy Feller **Dustin Vollmar**

Roberta Collins Patricia Christy Sharon Merrill

Amanda Price Vicki L. Goble

Bobby L. Goble

Jayme Fredrick Bobby L. Goble, Jr. Dale Montello John Ahlrichs **Audrey Ahlrichs** Tonya Kellenberger

Aaron Kellenberger

Christina Gromada Joe Sodd Nancy Sodd Mary Appelmann Marian Powell

Lee Powell Brad Goldman Jessica Fahrner Elise Bailey

Mariah Stalvey

Ross Stalvey Yolanda Kirschner Parker Bailey

JAMES JEROME BELL AND SCHEEM MILTON HEMPSTEAD ELECTORS RECEIVED 9 VOTES

Timothy M. Bennet, Sr Marvine Bizzell

Shanteia Stewart Georgia Mixon Cheryl Stewart Naomi D. Bennett Lareka Johnson Napolean Allen James Johnson Blanche Haynes

Mary Frary Gloria Shelton Faye E. Hill Jeff Mixon **Beverly Tidmoke**

Bennie DeLoach Demi DeLoach Marquetta Tidmore

BRUCE E. JAYNES AND ROGER W. STEWART ELECTORS RECEIVED 8 VOTES

Jeffrey Spence

Charlotte Smith

Patrick Wheeler

Aaron Middleton Eric Voshel

Judith Doty

Roger Doty Brad Feightner, Jr. Anthony W. Bonsignore Joel Calabrese

Brent Russell Aimee Jantz Sarah Pratt Eli Callis

Kim Stewart

Sarah Stewart **Brooklyn Stewart** Morgan Calbert

MICHAEL BICKELMEYER AND ROBERT YOUNG ELECTORS RECEIVED 6 VOTES

Tim Trammell Erik Schumacher Daphne Laurenti

Dennis Leonard

Bill Goetz

June Tischler Victor Ladan Khalid Darr Elizabeth Hoinke Violette Shamatta Paul Hoffman Jane Hoffman Dan Logan Judy Golod William Schwab

Jonathan Young David A. Young **April Young**

Cheri Schuster

DOUGLAS W. THOMSON AND THOMAS A. DUCRO, JR. ELECTORS RECEIVED 6 VOTES

Dave Daniels Steve Connor Joy Carver

Deborah Skidmore Gretchen Thomson Pam Levinson Rebecca P. Meyer

Thomas C. Meyer Samuel Thomson **Emlly Smith**

Nathan Smith Debbie J. Bruton William J. Eroe

Penny Tieke Charlie Rogers Delma Eroe Velvet Wilson

CHERUNDA FOX AND ROGER KUSHNER ELECTORS RECEIVED 5 VOTES

Lavera Pressley Thomas Brown Jerriedean Stewart David Wingate Ronnie Smith

Norman Napier George Crisp Douglas Martin Jacqueline Martin Shamya Point

lan Speight David Dunbar Danny Riley LaTaya Burton Joy Jenkins

Danielle Cummings Nathaniel Jenkins Roy Jenkins



In Testimony Whereof, I have hereunto subscribed my name, and caused to be affixed the Great Seal of the State of Ohio, at Columbus, the Seventh day of December in the year of our Lord two thousand sixteen and in the two hundred and forty-first year of the independence of the United States of America.

John Kasich

ATTEST:

Jan Husted Secretary of State, State of Ohio



URGENT: temporary restraining order to be sought against you

Subodh Chandra <subodh.chandra@chandralaw.com>

Fri, Dec 16, 2016 at 10:27 PM

To: Christina Hagan hagan4ohio@gmail.com, Christina Hagan Rep50@ohiohouse.gov

Cc: Donald Screen donald.screen@chandralaw.com, Marvin Brown marvin.brown@chandralaw.com,

Dear Rep. Hagan:

This weekend, our office anticipates filing a civil complaint, and an emergency motion for temporary restraining order against you under Rule 65 of the Ohio Rules of Civil Procedure. The complaint and motion will allege that by serving as a presidential elector without resigning your position as a member of Ohio's General Assembly, you are violating Ohio Constitution Article II, Section 4. That section provides in relevant part as follows:

No member of the general assembly shall, during the term for which he was elected, unless during such term he resigns therefrom, hold any public office under the United States, or this state, or a political subdivision thereof; but this provision does not extend to officers of a political party, notaries public, or officers of the militia or of the United States armed forces.

The Supreme Court of Ohio has observed that the office of presidential elector is a state office. *State ex rel. Beck v. Hummel*, 150 Ohio St. 127, 147 (1948).

Thus, our clients believe you are violating the Ohio Constitution and must not serve, act, or vote as a presidential elector on December 19, 2016 unless you first resign from the general assembly.

This communication serves as my best effort at notifying you about the filing and hearing we will be seeking on an expedited and emergency basis. If you provide me with a mobile number, or have an attorney call my mobile number below, I will tell you when the filing occurs and when the judge is planning to hear the motion. We will be seeking a hearing this weekend or first thing Monday morning. If I do not hear from you by phone, I will email you a copy of the filings once they are accomplished, as well as the hearing date and time when I have it.

Thank you for your consideration of this important matter. Please reply to all acknowledging that you received this correspondence.

Respectfully yours,

Subodh Chandra
The Chandra Law Firm LLC
1265 W. 6th Street, Suite 400; Cleveland, OH 44113.1326
216.578.1700 office; 216.578.1800 fax; 216.965.6463 mobile
Subodh.Chandra@ChandraLaw.com
www.ChandraLaw.com
Twitter: @SubodhChandra • Facebook: The Chandra Law Firm LLC

This email may contain confidential or privileged information. If you are not the intended recipient, then please delete it and alert us.



IN THE COURT OF COMMON PLEAS STARK COUNTY, OH

DEBORAH L. CAIN, et al. Plaintiff, vs. CHRISTINA HAGAN, Defendant.	Case No. Judge:	
[Proposed] Order		

The Court finds that Plaintiffs have demonstrated their entitlement to a temporary restraining order. Article II, Section 4 of the Ohio Constitution clearly prohibits a sitting member of the General Assembly from holding a federal or state public office. As a presidential elector, Defendant Hagan is a state public-office holder. Because Plaintiffs have therefore identified a clear constitutional violation, they have shown a substantial likelihood of success on the merits of their claim.

Plaintiffs have also shown that they will suffer irreparable harm if their requested injunction is denied. If Defendant Hagan is permitted to cast a ballot on December 19, 2016 despite her constitutional disability, the action cannot be "undone" and any effect will be permanent. Plaintiffs' exclusive remedy is the injunction they seek and that the Court here grants. The Court

also finds that an injunction will serve the public interest via constitutional compliance, and will cause no harm to third parties.

Plaintiffs' counsel have, moreover, certified to the Court the reasonable efforts they made to ensure that Defendant Hagan received notice of their institution of these proceedings. Defendant Hagan has not, as of the date of this Order, entered an appearance, and the Court has not otherwise been notified that she in fact received such notice. In view of the urgency and importance of the matter Plaintiffs raise, however, the Court believes that the requested injunction should issue despite any lack of actual notice to Defendant Hagan.

Thus, the Court orders that Defendant Hagan is enjoined, for a period of 14 days, from attending or participating in the meeting of presidential electors scheduled for December 19, 2016, from casting a ballot for president or vice president at such meeting or at any other time, and from otherwise serving as a presidential elector, unless she shall first have resigned her office as Ohio State Representative.

Judge

RULES OF THE OKLAHOMA REPUBLICAN PARTY

PREAMBLE

We, the duly elected delegates of all the qualified Republican registered voters of the State of Oklahoma in State Convention duly assembled, in order to form a more perfect organization and establish more uniform and efficient rules of procedure, do hereby establish and adopt the following organization and rules for the Republican Party in and of the State of Oklahoma.

Rule 1- Permanent Organization

The permanent organization of the Republican Party in and of the State of Oklahoma shall consist of the following committees:

- 1. Republican Precinct Committees
- 2. Republican County Committees
- 3. Republican County Central Committees
- 4. Republican County Executive Committees
- 5. Republican District Committees
- 6. Republican State Committee
- 7. Republican State Executive Committee
- 8. Republican State Central Committee
- 9. Republican State Finance Committee
- 10. Republican State Budget Committee

And such additional committees, conventions and officers as are hereinafter established, recognized or authorized.

Rule 2- State Headquarters and Meeting Place of State Committee

The headquarters of the Oklahoma Republican Party and of its State Committee shall be at Oklahoma City, Oklahoma, unless and until otherwise ordered by the State Committee or a State Convention. It shall be the duty of the State Chairman to arrange for or provide a suitable place for meetings of the State Committee and State Conventions and adequate office space for the Republican State headquarters, subject to the direction or approval of the State Committee.

Rule 3- Rights and Qualifications of Members and Officers

(a) Members: All citizens of Oklahoma are invited to join the Oklahoma Republican Party to perpetuate this Republic. All qualified voters of this state who are registered Republicans are members of the Oklahoma Republican Party, and shall have the right to participate in the official affairs and governance of the Republican Party in accordance with these rules as set forth herein. Such right shall be sacred and inviolate, and the willful

disregard or abridgement of such right by an officer or member of any committee of the Party shall be deemed sufficient cause for the removal of such officer or committee member.

(b) Officers and Delegates: No person shall be eligible to be elected or appointed as an officer or a member of any committee of the Republican Party or as a delegate or alternate delegate to any county, district, state, or national convention, nor to be endorsed for any position on the Republican National Committee, unless such person is, at the time of such election, appointment, or endorsement, a qualified registered Republican voter of the political unit which such position represents. Any such office, position, or endorsement shall become vacant and shall be deemed revoked when any such officer, delegate, alternate delegate, or committee member shall cease to be a qualified registered Republican voter, as defined by State law, of the unit represented.

Rule 4- Regular Biennial Conventions

The regular biennial Precinct Meetings, County Conventions, and State Convention, hereinafter referred to, shall be called and convened every two (2) years in the odd-numbered years as hereafter provided.

Rule 5- Precinct Committees

- (a) Composition and Election: There shall be a Precinct Committee in each election precinct of the state. The Precinct Committee shall consist of a Precinct Chairman and a Precinct Vice Chairman, a Precinct Secretary, and a Precinct Treasurer, who may be the same person, and who shall have equal right to vote at Precinct Meetings. They shall be elected at the regular biennial Precinct Meeting of the qualified Republican voters of each precinct called by the County Chairman, or as provided in these rules. The same procedure shall be followed at a regular or special meeting, in the event new precincts are created anywhere in any county of the state.
- (b) Authority and Duties: The Precinct Committee is the supreme Republican Party authority of each precinct, subject to these rules, and the direction and control of official precinct meetings. The Precinct Committee of each precinct is charged with the duty of promoting the welfare and directing the affairs of the Republican Party in its precinct. The Precinct Chairman shall be the executive officer of the precinct delegates to any county convention. The Precinct Chairman is not disqualified to be elected or appointed as a delegate pursuant to these rules. Only the Precinct Committee has the authority to remove any duly elected qualified delegate to the county convention.

- (c) Meetings: The Precinct Committee shall meet at any time upon the call of the Precinct Chairman, or if said officer is not available, fails, or refuses to issue such call, any two members of the Precinct Committee may call such a meeting. Such call shall be made by written or electronic notice to all members of the Precinct Committee not less than five (5) days prior to the meeting. In like manner, a general precinct meeting may at any time be called of the qualified registered Republican voters in the precinct. The Precinct Chairman, or in the chairman's absence, the Vice Chairman, or in the absence of both, any person who is a registered Republican selected by a majority of those in attendance, shall preside at the meeting.
- (d) Officers of Precinct Committees: The officers of each Precinct Committee shall consist of:
 - 1. The Precinct Chairman
 - The Precinct Vice Chairman

 - 4. The Precinct Treasurer
- **Terms of Office:** The term of office of all precinct officers shall begin immediately after their election, and shall continue until the adjournment of the next regular biennial precinct meeting or until their successors are elected and qualified, unless the person is removed, resigns, or becomes disqualified.
- **(f)** Vacancies: If any Precinct Chairman shall die, move from the precinct, resign, or fail to function as determined by the County Executive Committee, or otherwise become disqualified, the Vice Chairman shall become Chairman until a Precinct Committee meeting can be held to elect a new Chairman. If the Vice Chairman, Secretary, or Treasurer shall die, move from the precinct, resign, or otherwise become disqualified, such vacancy shall be filled by election at any regular or special meeting, properly called, of the registered Republican voters in the precinct. However, if the precinct shall fail to fill such vacancy within thirty (30) days of the vacancy occurring, or if the precinct has failed to initially elect such officers, then the County Chairman and Vice Chairman shall jointly fill such vacancy by appointment. If they cannot agree upon any such appointment, then if the vacancy was caused by the female member, it shall be made by the female Chairman or Vice Chairman and vice versa. Such appointment shall be subject to the approval of the County Executive Committee. Any person appointed to fill such vacancy shall serve for the remainder of the unexpired term, unless replaced as set forth herein.

Rule 6- County Committees

- (a) Composition and Election:
 - **1. Composition:** There shall be a County Committee in each county

of the state consisting of all the Precinct Chairmen and Vice Chairmen of the county, the County Chairman, the County Vice Chairman, the State Committeeman, the State Committeewoman, the Congressional District Committeewoman(men) and the Congressional District Committeewoman(women).

2. Election of the County Chairman and Vice Chairman: The County Chairman and Vice Chairman shall be elected by the regular biennial County Convention, by roll call vote or by secret ballot if more than one candidate is nominated for either office; provided, however, that if for any reason no such County Convention is assembled within the time required, or the County Convention fails to elect a County Chairman and Vice Chairman, they shall be elected by the County Committee at a special meeting called for such purpose pursuant to not less than five (5) days written or electronic notice sent to all members of said committee stating such purpose.

(b) Authority and Duties:

- 1. The County Committee of each county is the supreme Republican Party authority of the county, subject to these rules and the direction and control of County Conventions. It is charged with the duty of promoting the welfare and directing and controlling the affairs of the Republican Party in its county.
- 2. The County Chairman shall be the executive officer and the Vice Chairman the assistant executive officer of the Republican Party of the county. The County Chairman shall be responsible for the enforcement of these rules and the carrying out of the directions and resolutions of the County Committee and the County Conventions in accordance with these rules. The County Chairman shall maintain and within sixty (60) days of being elected, forward to the State Chairman a roster of membership of the County Committee and the County Executive Committee. The County Chairman shall assist in all State and National Republican Party campaigns and shall have general supervision over all Republican Party activities, functions, and campaigns within the county.
- 3. The County Vice Chairman shall aid and assist the County Chairman in all of said duties and shall serve as Chairman until a County Committee meeting can be held to elect a new chairman, if the Chairman shall die, move from the county, resign, or fail to function as determined by the County Executive Committee, or otherwise become disqualified under grounds cited in Rule 19 (g).
- 4. The Secretary of the County Committee shall keep minutes of the Executive Committee and County Committee, and act as secretary at County Conventions. The Treasurer of the County Committee shall keep records of all financial transactions of the county and make a report at each County Committee meeting and County

- Convention, and submit all reports as required by law. Records kept by the Secretary and Treasurer shall be turned over to their successors within thirty (30) days after completion of their term of office.
- 5. The County Chairman shall be the executive officer of the county delegates to any district or state convention. The County Chairman is not disqualified to be elected or appointed as a delegate pursuant to these rules. Only the County Central Committee has the authority to remove any duly elected qualified delegate to the district or state convention.
- (c) Meetings: The County Committee shall meet at any time upon the joint call of the County Chairman and Vice Chairman, or if either of said officers is not available, fails, or refuses to issue such call, or either of said offices is vacant, the other may call such a meeting. If both should issue a call, the first issued shall be the legal call. Such call shall be made by written or electronic notice to all members of the County Committee not less than five (5) days prior to the meeting. If both of said offices are vacant, or both officers or either of them, fail or refuse to issue such call when deemed necessary, then the State Chairman and Vice Chairman jointly, or one fourth of the entire existing members of the County Committee shall be authorized to issue a call for such meeting, duly signed by those who issued the call, provided, however, such call must state the purpose of the meeting and no other business shall be considered at such meeting. The County Chairman, and in the chairman's absence the Vice Chairman, or in the absence of both, any person who is a registered Republican selected by a majority of those in attendance, shall preside at the meeting. The County Chairman and Vice Chairman shall have the same right to vote at any meeting as the other members of the committee.
- (d) Officers of County Committees: The officers of each County Committee shall consist of:
 - 1. A County Chairman
 - 2. A County Vice Chairman
 - 3. A County Secretary \(\) May be the same person
 - 4. A County Treasurer

(e) Terms of Office:

- 1. The term of office of the County Chairman and Vice Chairman shall begin immediately after their election and shall continue until the adjournment of the next regular biennial County Convention, or until their successors are elected and qualified, unless sooner removed, resigns, or becomes disqualified.
- 2. The term of offices of Secretary and Treasurer of the County Committee shall begin from their appointment and continue until the adjournment of the next biennial County Convention or until their successors are appointed and qualified, unless sooner removed, resigns,

or becomes disqualified.

(f) Vacancies: If the County Chairman or Vice Chairman shall die, move from the county, resign, or fail to function, or otherwise become disqualified as cited in Rule 19 (g), then the County Executive Committee if there be one, which shall meet within sixty (60) days of said vacancy, shall fill the vacancy, subject to the approval of the County Committee. Should If the County Committee fails to approve the recommendation of the County Executive Committee, the vacancy shall be referred back to the County Executive Committee for further recommendation. The roster(s) of membership of the County Committee and the County Executive Committee on file with the State chairman, pursuant with Rule 6 (a) 1 above, shall constitute the membership of said committees for purposes of this rule.

If the County Committee fails to fill such vacancy within sixty (60) days of the event that caused the vacancy, then the office shall be filled by the State Chairman and shall be effective immediately. However, the County Committee may elect another in lieu thereof, within thirty (30) days of the appointment by the State Chairman. Any person appointed or elected to fill such vacancy shall serve for the remainder of the unexpired term, unless replaced as set forth herein.

Rule 7- County Executive Committees

(a) Composition and Appointment: There shall be a County Executive Committee in each county consisting of the County Chairman, the County Vice Chairman, the State Committeeman, the State Committeewoman, the Congressional District Committeewoman(men), the Congressional District Committeewoman(women), and one State Representative, one State Senator elected in the county, one legislator selected by the County Chairman and, if more than one legislator, one selected by the County Vice Chairman. If such selected legislator's district includes more than one county, the county of their residence shall be one in which they may serve on the committee.

In addition, not more than 25 men and women may be appointed jointly by the County Chairman and Vice Chairman. If they cannot agree upon such appointments, then the Chairman shall appoint not more than 13 and the Vice Chairman shall appoint not more than 12 of such members in addition to those enumerated herein, except in counties whose population is 200,000 or more, then such addition not more than 51 men and women may be appointed jointly by the County Chairman and Vice Chairman. If they cannot agree upon such appointments, then the Chairman should appoint not more than 26 and the Vice Chairman should appoint not more than 25 of such membership in addition to those enumerated herein. They shall serve at the pleasure of the County Chairman and Vice Chairman.

Where the Chairman and Vice Chairman have been unable to agree on such appointments and 13 or 26 appointments have been made by the Chairman and 12 or 25 by the Vice Chairman as provided above, if it shall later become necessary to remove any of said appointees and they cannot again agree on said removal, then each may remove any appointee made individually by them under the provisions of this rule and may thereafter appoint their replacement.

- (b) Authority and Duties: The County Executive Committee shall at all times act in an advisory capacity to the County Chairman and Vice Chairman and shall confer with them and offer such plans and suggestions as will serve and advance the best interests of the welfare of the Party not inconsistent with these rules. It shall also be the duty of the County Executive Committee to meet prior to any County Convention to make recommendations to the County Chairman for the organization of the County Convention.
- (c) **Meetings:** The County Executive Committee shall meet upon the joint call of the County Chairman and Vice Chairman, or if either of said officers is not available, or either of said offices is vacant, the other may call such meeting. If said officers cannot agree as to such call, either may call such meeting. If both issue such call, the first issued shall be the legal call. Such call shall be made by written or electronic notice to all members of the County Committee not less than five (5) days prior to the meeting. If both of the offices are vacant or both officers shall fail or refuse to issue such call when deemed necessary, one-fourth of the entire existing members of the County Executive Committee shall be authorized to issue a call for such meeting, duly signed by said members; provided, however such call made by such members must state the purpose of the meeting and no other business shall be transacted at such meeting. The County Chairman, or in the chairman's absence, the Vice Chairman, or in the absence of both, any person who is a registered Republican selected by a majority of those in attendance, shall preside at the meeting. The County Chairman and Vice Chairman shall have the same right to vote as the other members of the committee. The Secretary of the County Committee shall, by virtue of the office, also be Secretary of the County Executive Committee.
- (d) Vacancies: If any County Executive Committee member shall die, move from the county, resign, or otherwise become disqualified, then the County Chairman and Vice Chairman shall jointly fill such vacancy. If they cannot agree upon any such appointment, then it shall be made by the County Chairman or Vice Chairman of the same gender as the former member of the vacancy to be filled.

Rule 8- County Central Committee

- (a) Composition: There shall be a County Central Committee comprised of the County Chairman, the County Vice Chairman, the State Committeeman and the State Committeewoman.
- (b) Duties: The duty of the County Central Committee shall be limited solely to performing, with the advice and consent of the County Executive Committee, functions as prescribed by law. When submitting to the County Election Board recommendations for Republican Membership on the precinct election boards, as provided by law, the County Central Committee must recommend those persons whose names have been recommended for membership on the election board in that precinct by a precinct caucus, provided the precinct caucus was called and conducted in accordance with the Rules of the Republican Party, and further provided that the list is submitted pursuant to Oklahoma election laws.

Rule 9- Congressional District Committees

- (a) Composition and Elections: There shall be a Congressional District Committee in each congressional district of the state composed of two (2) members (one man and one woman) from each county elected at the regular biennial County Convention from each congressional district in which a county lies, by delegates residing within the congressional district, and the County Chairman and Vice Chairman of the counties of each district shall by virtue of their offices, also be members of the committee of each congressional district in which the county lies with the same rights and duties as other members.
- (b) Authority and Duties: The Congressional District Committee of each congressional district is the supreme Republican authority as to Congressional matters in the district, subject to these rules and the direction and control of Congressional District Conventions, the State Committee, and State Conventions. It is charged with the duty of promoting the welfare of the Republican Party in its respective Congressional District.
- (c) Meetings: The Congressional District Committee shall meet at any time upon the joint call of the Congressional District Chairman and Vice Chairman pursuant to ten (10) days written or electronic notice sent to all members of said committee stating such purpose, or if either of said officers is not available, or either of said officers cannot agree as to such call, either may call such meeting, and if both should issue such a call, the first issued shall be the legal call. If both of said offices are vacant, or both officers fail or refuse to issue such a call when deemed necessary, then one-fourth of the entire existing members of the Congressional District Committee is authorized to issue a call for such meeting, duly signed by said members; provided, however such call made by such members state the purpose of the meeting and no other business shall be transacted at such meeting. The Congressional District Chairman, or in the chairman's

absence, the Vice Chairman, or in the absence of both, any person who is a registered Republican selected by a majority of those in attendance, shall preside at the meeting. The Congressional District Chairman and Vice Chairman shall have the same right to vote as the other members of the committee.

- (d) Officers of Congressional District Committee: The officers of each Congressional District Committee shall consist of:
 - 1. A Congressional District Chairman
 - 2. A Congressional District Vice Chairman
 - 3. A Congressional District Secretary } May be the same person.
 - 4. A Congressional District Treasurer }
- (e) Term of Office: Their term of office of each Congressional District Committeeman and Committeewoman shall begin immediately after their election and shall continue until the adjournment of the next regular biennial County Convention or until their successors are elected and qualified, unless sooner removed, resigns, or becomes disqualified.
- (f) Vacancies: lf Congressional District Committeeman any or Committeewoman shall die, move from the county, resign or otherwise become disqualified, then the County Chairman and Vice Chairman of their county shall jointly fill such vacancy by appointment. If they cannot agree on such appointment, then if the vacancy is a Committeeman, it shall be made by the male Chairman or Vice Chairman, and if the vacancy is a Committeewoman it shall be made by the female Chairman or Vice Chairman. All such appointments shall be subject to the approval of the County Executive Committee. If the County Chairman or Vice Chairman shall fail to fill such vacancy after ten (10) days notification by the State Committee, then it shall be filled by the State Chairman and shall be effective immediately, but subject to the disapproval and appointment of another in lieu thereof within thirty (30) days by the County Committee. Any person appointed to fill such vacancy shall serve for the remainder of the unexpired term, unless replaced as set forth herein.
- (g) Election, Term, Vacancies of Congressional District Chairman and Vice Chairman: The Congressional District Chairman and Vice Chairman shall be elected at the regular quadrennial Congressional District meeting which shall be held by said committee within sixty (60) days after the regular biennial County Conventions in the year immediately following the gubernatorial elections. Their term of office shall begin upon election and continue until their successors are elected and qualified, unless sooner removed, resigns, or becomes disqualified. If the Congressional District Chairman and Vice Chairman shall die, move from the county or otherwise become disqualified, such vacancy shall be filled by said committee at a special meeting called for such purpose. Any person elected to fill such vacancy shall serve for the remainder of the unexpired term.

(h) Appointment, Term, Vacancies of Congressional District Secretary and Treasurer: The Secretary and Treasurer of the Congressional District Committee shall be appointed jointly by the Congressional District Chairman and Vice Chairman. If they cannot agree on either or both such appointments, then the Chairman shall appoint the Treasurer and the Vice Chairman the Secretary. Such appointments shall be subject to the approval of the Congressional District Committee. Their term of office shall begin from their appointment and continue until the adjournment of the next quadrennial Congressional District Committee meeting or until their successors are appointed and qualified, unless sooner removed, resigns, or becomes disqualified.

Rule 10- State Committee

- Composition and Election: There shall be a State Committee of (a) Oklahoma which shall be composed of two (2) members (one man and one woman) from each county of the State elected at a regular biennial County Convention, the State Chairman, the State Vice Chairman, the Chairman of the Oklahoma Federation of Young Republicans, the Chairman of the Oklahoma Federation of College Republicans, the Chairman of the Oklahoma Federation of Teen-Age Republicans, the president of the Oklahoma Federation of Republican Women, the chairman of the Oklahoma Minority Republican Coalition, the National Committeeman and Committeewoman of Oklahoma, the Republican members of the Oklahoma Legislature, all Republican officials who are elected statewide, all Republican members of the U.S. Congress from Oklahoma, the immediate past State Chairman, and the Chairman and Vice Chairman of each Congressional District in the state. The County Chairman and Vice Chairman of each county are also members.
- (b) Authority and Duties: The State Committee is the supreme Republican Party authority of the state Republican Party, subject to these rules and the direction and control of the State Convention. It is charged with the duty of promoting the welfare and direction, controlling the affairs of the Oklahoma Republican Party and the Oklahoma State Republican Conventions, and in promoting the welfare of the Republican Party of the United States of America. The State Committee shall meet immediately preceding any State Convention and receive the report and recommendations of the State Executive Committee for the purpose of establishing the organization of the State Convention and shall consider same and shall thereafter make its report and recommendations to the State Convention.
- (c) Meetings: The State Committee shall meet at any time upon the joint call of the State Chairman and Vice Chairman, pursuant to ten (10) days written or electronic notice sent to all members of said committee stating such purpose, or if either of said officers is not available, or either of said

offices is vacant, the other may call such a meeting. If said officers cannot agree as to such a call, either may call such meeting. If both should issue such a call, the first issued shall be the legal call. If both of said offices are vacant, or both officers fail or refuse to issue such a call, then the National Committeeman and National Committeewoman may issue such call. If said officers cannot agree as to such a call, either may call such meeting. If both should issue such a call, the first issued shall be the legal call. If both of said offices are vacant, or both officers fail or refuse to issue such a call, then one-fourth of the entire existing members of the State Committee shall be authorized to issue a call for such meeting, duly signed by said members; provided, however such call made by such members must state the purpose of the meeting and no other business may be transacted at such meeting. The State Chairman, or in the chairman's absence, the Vice Chairman, and in the absence of both, any person who is a registered Republican selected by those in attendance, shall preside at the meeting.

- (d) Officers of the State Committee: The officers of the State Committee shall consist of:
 - 1. A State Chairman
 - 2. A State Vice Chairman
 - 3. A State Secretary
 - 4. A State Treasurer
 - 5. An Assistant State Treasurer
 - 6. A General Counsel
- (e) Term of Office: The term of office of the State Committeeman and Committeewoman shall begin immediately after their election and shall continue until the adjournment of the next regular biennial County Convention and until their successors are elected and qualified, unless sooner removed, resigns, or becomes disqualified.
- (f) Vacancies: If any State Committeeman or Committeewoman shall die, move from the county, resign, or otherwise become disqualified, then the County Committee shall fill such vacancy at a special meeting called for such purpose pursuant to ten (10) days written or electronic notice sent to all members of said committee stating such purpose. If the County Committee fails to fill such vacancy within thirty (30) days, then it shall be filled at once by the State Chairman, effective immediately, but subject to the disapproval and election of another, in lieu thereof, within thirty (30) days of the appointment by the State Chairman, by the County Committee. Any person appointed to fill such vacancy shall serve for the remainder of the unexpired term, unless replaced as set forth herein.
- (g) Election and Duties of State Chairman and Vice Chairman: The State Chairman and Vice Chairman shall be elected by the regular biennial State Convention, by roll call vote if there is more than one candidate nominated for either office. The State Chairman shall be the executive officer and the

Vice Chairman the assistant executive officer of the State Committee and the Oklahoma Republican Party. The State Chairman shall be responsible for the enforcement of these rules and the carrying out of the directions and resolutions of the State Committee and the State Conventions in accordance with these rules. The State Chairman shall not discard any of the files or records of the Republican State Committee without the consent of the Budget Committee. The State Chairman shall assist in all national Republican Party campaigns, and shall have general supervision over all activities, functions, and campaigns within the state. The State Vice Chairman shall aid and assist the State Chairman in all of said duties and shall act as Chairman when the chairmanship is vacant or when the Chairman is disqualified or is not available. They shall have the same right to vote at any State Committee meeting as members of said committee.

- (h) Term of Office of State Chairman and Vice Chairman: The term of office of State Chairman and Vice Chairman shall begin immediately after adjournment of the regular biennial State Convention at which they were elected, and continue until the adjournment of the next regular biennial State Convention, and until their successors are elected and qualified, unless sooner removed, resigns, or becomes disqualified.
- (i) Vacancies of State Chairman and Vice Chairman: If the State Chairman shall die, move from the state, resign, or otherwise become disqualified, then the Vice Chairman shall serve as Chairman until such vacancy shall be filled by the State Committee at a special meeting held within sixty (60) days for such purpose pursuant to written or electronic notice sent to all members of said committee stating such purpose_30 days prior to said meeting. Any person elected to fill such vacancy shall serve the remainder of the unexpired term. If the Vice Chairman shall die, move from the state, resign, or otherwise become disqualified, then the vacancy shall be filled by the State Committee as described for filling the office of Chairman.
- General Counsel: The State Secretary, Treasurer, Assistant Treasurer, and General Counsel: The State Secretary, Treasurer, Assistant Treasurer, and General Counsel of the State Committee shall be appointed by the State Chairman, subject to the approval of the State Committee, as soon as possible not exceeding sixty (60) days after each regular biennial State Convention. If the office of Treasurer shall become vacant, the Assistant Treasurer shall become Treasurer until a new successor is appointed and qualified.
- (k) Duties of the State Secretary: The State Secretary shall attend all meetings of the State Committee and keep the minutes of all meetings and reports furnished to said committee. The minutes of such meetings shall be attested by the State Secretary. The minutes and reports shall be transmitted or delivered to the office of the State Chairman at the State Headquarters, as soon as possible, not to exceed ten (10) days after each

meeting. They shall remain there available for review by any officer or member of the State Republican Committee.

- **(I)** Duties of State Treasurer: The State Treasurer shall be the custodian of all funds of the State Committee and the Oklahoma Republican Party and shall disburse the same in accordance with budgets established by the State Budget Committee. The State Treasurer shall keep a strict account of all receipts and disbursements, with the dates thereof, from whom received and to whom disbursed, and the purpose thereof. The accounts of the Treasurer shall be accessible at all times to the State Chairman and Vice Chairman, or any member of the State Finance or Budget Committees or any representative of any of said officers or committees duly authorized in writing by such officer or committee. All disbursements shall be made in accordance with the law and these rules. The State Treasurer shall report at such time or times as requested by the State Budget Committee in such form as will provide all necessary information relative to the amount of receipts, disbursements and cash balance, together with expenditures charged to each item of the budget and the unexpended balance of the budget items. At any time, if required by the State Budget Committee, the State Treasurer shall furnish a good and sufficient bond payable to the Oklahoma Republican State Committee for the faithful performance of the duties and due accounting for all money and property entrusted to the Treasurer, in such amount as may be required by the State Budget Committee and be generally approved by said committee. At the end of the term of office, the State Treasurer shall deliver to the successor all monies, property, books, and records of the State Budget Committee and the Oklahoma Republican Party, maintained by or in the possession of the State Treasurer.
- (m) Duties of General Counsel: It shall be the duty of the General Counsel of the State Committee to be the chief legal advisor of the State Committee, and all other state committees and state officers on legal matters pertaining to said committees and officers and the Oklahoma Republican Party. General Counsel may also attend and be Parliamentarian at all State Committee meetings to advise the presiding officer on all questions of parliamentary procedure and the rulings of the presiding officer, if requested to do so by such officer of the committee.

Rule 11- State Executive Committee

- (a) Composition and Appointment: There shall be a State Executive Committee composed of:
 - the State Chairman;
 - the State Vice Chairman;

- two members, one man and one woman, elected as Congressional District Chairman and Congressional District Vice Chairman from each Congressional District of the state;
- the Republican Governor, if there be one;
- the President of the Oklahoma Federation of Republican Women
- the Chairman of the Oklahoma Federation of Young Republicans;
- the Chairman of the Oklahoma Federation of Teen-Age Republicans;
- the County Chairman of each county which maintains (and has maintained, for the year immediately previous) a County Republican Headquarters facility (For purposes of these rules, a County headquarters shall be a facility staffed and open to the public a minimum of 20 hours per week, 24 weeks annually in election years, 20 weeks annually in non-election years. It shall not be a shared residence or business office.
- from the state at large, ten members: five men and five women. The
 members shall be appointed jointly by the State Chairman and Vice
 Chairman if they can agree; however, in case they cannot agree, each
 may appoint the members of his or her gender, subject to the approval
 of the State Committee.
- The Republican National Committeeman and Committeewoman of Oklahoma and the Republican Floor Leaders of the Oklahoma Legislature shall also be members of said committee by virtue of their office, with the same powers and privileges as the other members
- (b) Duties: The State Executive Committee shall at all times act in an advisory capacity to the State Chairman, and shall confer with said chairman and offer such plans and suggestions as will serve and advance the best interests of the Party not inconsistent with these rules. Said committee shall fix the time and place of any State Convention as more fully prescribed in Rule 16. It shall also be the duty of the State Executive Committee to report its recommendations to the State Committee for organization in preparation for any State Convention.
- (c) Meetings: The State Executive Committee shall meet at any time upon the joint call of the State Chairman and Vice Chairman pursuant to ten (10) days written or electronic notice sent to all members of said committee stating such purpose or if either of said officers is not available, or if either of said offices is vacant, the other may call such meeting. If said officers cannot agree as to such call, either may call a meeting. If both issue such a call, the first issued shall be the legal call. If both of said offices are vacant or both officers shall fail or refuse to issue such a call, then the National Committeeman and National Committeewoman may issue such call. If said officers cannot agree as to such a call, either may call such meeting. If both should issue such a call, the first issued shall be the legal call. If

both of said offices are vacant or both officers fail or refuse to issue such a call, then one-fourth of the entire existing members of the State Executive Committee shall be authorized to issue a call for such meeting, duly assigned by said members, provided, however, such call made by such members must state the purpose of the meeting and no other business shall be transacted at such meeting. The State Chairman and, in the chairman's absence, the Vice Chairman, and in the absence of both, any person who is a registered Republican selected by those in attendance, shall preside at the meeting. The State Secretary shall, by virtue of the office, also be Secretary of the State Executive Committee.

Rule 12- State Central Committee

- (a) Composition: There shall be a State Central Committee comprised of the State Chairman, the State Vice Chairman, the National Committeeman, and the National Committeewoman.
- **(b) Duties:** The duty of the State Central Committee shall be to perform, with the advice and consent of the State Executive Committee, functions necessary for the operation of the Oklahoma Republican Party.

Rule 13- State Finance Committee

- Composition, Term, and Vacancies: There shall be a State Finance Committee composed of not less than twice the number of Congressional Districts in the state and not more than one hundred (100). In addition to the above members, there shall be a State Finance Chairman, and if desired, a State Finance Vice Chairman. They shall be appointed by the State Chairman, as soon as possible (not to exceed sixty (60) days after the regular biennial State Convention, subject to the approval of the State Committee, and shall serve at the pleasure of the State Chairman. Any vacancy shall be filled in the same manner as an appointment is made. The State Chairman and Vice Chairman, Oklahoma Republican National Committeeman and Committeewoman, and State Treasurer shall, by virtue of their office, also be members of said committee, and shall have the same power and authority as the other members.
- (b) Authority and Duties: It shall be the duty of the State Finance Committee to devise ways and means to properly finance the Republican General Election campaigns and other Republican Party business and affairs. The State Finance Committee shall have authority to establish quotas on an equitable basis designating the responsibility of each county within the state to provide the funds required to meet Republican Party organizational needs, and to cooperate with county organizations in determining the financial requirements of local organizations, and to effect agreements

between the State Finance Committee and county Republican organizations for equitable division of funds raised within each county. It shall have the authority to communicate in the name of the committee with such persons as it shall deem necessary for the purpose of promoting the business and general welfare of the Republican Party, and to raise funds for general election campaigns.

The State Finance Chairman shall have the authority and responsibility for details involved with committee-sponsored or statewide fundraising events, including the collection and accountability for the proceeds therefrom. Requests for presidents, vice presidents, cabinet members, governors, senators, and representatives for the state party fundraising events shall be made though either the State Finance Chairman or State Headquarters. Said committee shall not, however, directly or indirectly, raise or collect, or attempt to raise or collect funds for the benefit of any candidates (county, state or national) for primary elections.

All funds collected by the Oklahoma Republican Party shall be deposited in an account subject to disbursement by the State Chairman, subject to the advice and consent of the State Budget Committee, in the manner hereinafter provided. At such periodic intervals as may be determined by the State Budget Committee, there may be disbursed to the county Republican organizations such portion of funds collected within the county involved as shall have been agreed upon in writing between the State Finance Committee and the County Chairman and County Finance Committee, or as shall have otherwise been determined by the State Finance Committee. Payment of the necessary and proper operating expenses of the State Finance Committee, within limits authorized by the State Budget Committee, shall be made from funds in possession of said committee. At such periodic intervals as shall be directed by the State Budget Committee, the remaining funds collected by the State Finance Committee shall be transferred to the State Treasurer, who shall disburse it only in accordance with law and these rules.

Rule 14- State Budget Committee

(a) Composition, Term and Vacancies: There shall be a State Budget Committee of the State Committee composed of the State Chairman, the State Vice Chairman, the Oklahoma National Committeeman and Committeewoman, the Treasurer of the State Committee, and the Chairman of the State Finance Committee, together with nine members, at least one of whom shall be nominated by the members of the Congressional District Committee of each Congressional District, to be elected by the Congressional District Committee as soon as possible (not to exceed sixty (60) days) after the regular biennial State Convention, whose term of office shall begin upon their election and continue until the

adjournment of the next regular biennial State Convention and their successors are elected and qualified. A vacancy in any position of such elected members shall be filled for the unexpired term by election by the Congressional District Committee at any regular or special meeting thereof.

(b) Authority and Duties: It shall be the responsibility of the State Budget Committee, and it shall have the power and authority, to prepare budgets designating the amount, classification and priority of expenditures to be made from funds of the Republican State Committee, giving due consideration to the estimated availability of funds. By appropriate actions and resolutions it shall prescribe rules and regulation governing the fiscal affairs of the Republican Party organizations, including the procedure required for recommendations to the State Committee of amounts to be included in budgets and the incurring of obligations under such budgets. Said committee shall not authorize, directly or indirectly, any budget for, or expenditures of, funds for any candidate or candidates for any Primary election campaign, or the expenses thereof, whether such expenses incurred before, during, or after such Primary election.

It shall be the duty of said committee to evaluate the procedures and records of the State Treasurer and the State Finance Committee, and to make a report of such evaluation to the State Chairman, and State Committee annually, or more often as deemed necessary by the Budget Committee, or when requested by the State Chairman, or State Committee.

(c) CPA Financial Review: The financial books and records of the Oklahoma Republican Party, including the State Committee, the State Finance Committee, the Candidate Reserve Fund, and all other funds established by the Oklahoma Republican Party, shall be reviewed by a certified public accountant chosen by the State Budget Committee within a reasonable time after a new chairman is elected. A biennial review shall be conducted immediately preceding the biennial State Convention and shall cover the two year period ending January 31 of the Biennial Convention year. The review shall be conducted in accordance with generally accepted accounting principles as established by the American Institute of Certified Public Accountants. The completed review shall be submitted to the State Chairman, the State Budget Committee, and the State Committee.

Such a review may also be conducted at any other time as deemed necessary by a majority of those present and voting at a State Budget Committee or State Committee meeting, provided a quorum is present at the meeting.

(d) State Budget Committee Review: The financial records of the Oklahoma Republican Party including the State Committee, the State Finance Committee, the Candidate Reserve Fund and all other funds established by the Oklahoma Republican Party, and in addition, a complete inventory of all

equipment and all property owned or leased by the Oklahoma Republican Party, shall be examined by the State Budget Committee, and shall cover the two-year period ending with the even-numbered years. The completed examination shall be submitted to the State Chairman, and the State Committee.

Such a review may also be conducted at any other time as recommended by the State Budget Committee or the State Committee.

Rule 15 - National Committee Members

- (a) Nomination and Election: The regular State Convention held in a Presidential election year shall elect the Republican National Committeeman and Committeewoman from Oklahoma.
- **(b) Vacancies:** If a vacancy should occur, for any reason, in the position of National Committeeman or National Committeewoman, it shall be filled by election by the State Committee.
- (c) Ex-Officio Members of Certain Committees: Members of the Republican National Committee from Oklahoma shall by virtue of their offices be members of the State Central Committee, State Committee, the State Executive Committee, the State Finance Committee, and the State Budget Committee, with the same powers and privileges as the other members of said committees.

Rule 16 – Conventions (See Chart in Addendum A)

- (a) Regular Biennial Meetings and Conventions: There shall be a regular biennial Precinct Meeting in each precinct, except with prior approval of the County Executive Committee of the location outside the precinct boundary; a regular biennial County Convention in each county of the state, and a regular biennial State Convention of the Oklahoma Republican Party, called to convene during the months of April or May every two years in the odd numbered years, and April or May in the year the regular quadrennial Congressional District Conventions are called.
- (b) Regular Quadrennial Congressional District Conventions: There shall be a regular quadrennial Congressional District Convention of the Republican Party of each Congressional District of Oklahoma called to convene during the months of February, March, April, or May of each Presidential election year.
- (c) Fixing Time and Place of Meetings and Conventions: The State Executive Committee shall fix the deadlines for holding said regular

biennial and quadrennial Precinct Meetings, County Conventions, and Congressional District Conventions, and the time and place of the State Conventions. The State Executive Committee shall direct the State Chairman, or if not available, or said office is vacant, the State Vice Chairman, to issue such call, not less than thirty (30) days prior to the date fixed for the State Convention. The State Executive Committee or the State Chairman may permit the County and Congressional District organizations to fix the exact hour, day, and place of the Precinct Meetings and the County Conventions, within limits consistent with these rules. The dates convening all of said meetings and conventions shall be fixed so that they will convene in the following chronological order: (1) Precinct Meetings; (2) County Conventions; (3) Congressional District Conventions; (4) State Convention.

- (d) Special Meetings and Conventions: The State Committee, at any time in the interest of the Republican Party, may direct the State Chairman, or if not available or if said office is vacant, the State Vice Chairman, to issue a call for Special Precinct Meetings, County Conventions, and Congressional District Conventions, in any or all of the counties and congressional districts of the state in connection with or without calling a Special State Convention. The procedure for calling regular biennial meetings and conventions shall apply to the calling of special meetings so far as applicable and not inconsistent with these rules.
- determine the number of delegates by which each county is entitled to be represented in any Congressional District Convention or State Convention, apportioned among the counties according to the number of votes cast for the Republican nominee for President or Governor in each county at the preceding General Election. The State Call shall set forth the number of delegates each county is entitled to be represented by in the State and/or Congressional Conventions. If only a portion of a county lies within a congressional district, apportionment to such county of delegates to each Congressional District Convention shall be based upon the number of votes cast within that portion of the county which lies within the congressional district.

The County Executive Committee of each county shall determine the number of delegates each precinct is entitled to be represented by in any County Convention, apportioned among the precincts of the County according to the number of votes cast for the Republican nominee for President or Governor in each precinct at the preceding General Election. Each precinct shall be entitled to at least one delegate. Such county shall specify the number of delegates each precinct is entitled to in the County Convention.

The Oklahoma Federation of Young Republicans shall be allowed twenty (20) delegates to the State Convention. Said delegates will be allocated by the State Executive Committee of the Young Republicans and must be named prior to Republican County Conventions. The Oklahoma Federation of College Republicans shall be allowed at least ten (10) delegates to the State Convention with said delegates being at least eighteen (18) years of age by the time of the State Convention to which they are delegates; and said delegates being a member of the Oklahoma Federation of College Republicans at least one (1) college semester. Delegates who are members of voting auxiliary organizations shall choose whether to vote as an auxiliary delegate or a county delegate.

- (f) Organization of Conventions: All County, Congressional District, and State Conventions shall be called to order respectively by the County, District, or State Chairman, or if not available or said office is vacant, by the Vice Chairman. The Chairman:
 - shall appoint the Credentials Committee and the Rules Committee;
 - shall present the report of the County, Congressional District, or State Committee (whichever the case may be) for the permanent organization of the Convention;
 - shall receive the reports of the Credentials Committee and the Rules Committee; and
 - shall submit in turn the Credentials Committee report, the agenda, and rules, as the permanent organization report to a vote of the Convention.

Proposed Congressional District Convention rules must be provided to all County Chairmen of the Congressional District no later than seven (7) days prior to the Congressional District Convention. Proposed State Convention rules must be posted on State Party web site, and written or electronic notice sent to County Chairmen at least ten (10) days prior to the Convention.

The Convention Chairman elected by said Convention shall serve until adjournment of the Convention, and shall direct the Convention to proceed with its further organization and business according to the rules and agenda as adopted by the Convention. Items not covered by the Convention rules shall be governed by Robert's Rules of Order, Newly Revised. The Rules of the Oklahoma Republican Party shall be superior to the rules of any convention and to Robert's Rules of Order, Newly Revised.

(g) Voting at Conventions: Delegates to County, Congressional District, and State Conventions may cast whole votes or fractional votes in accordance with the authorization of the original precinct or county convention (whichever is applicable) so long as each delegate within a precinct or county delegation shall possess a vote equal to the vote possessed by any other delegate within the same delegation.

The following rules shall apply to all delegations as a part of the convention rules and order of business:

- 1. Votes announced shall be in one-half (½) or whole votes only and shall not be announced in any other fraction, or the Convention may accept the actual ballot count for the purpose of computerized tallies.
- Any delegation shall be allowed to pass when its name is called on the first roll, but must answer when its name is called the second time, in proper order, and failing to do so immediately, shall lose its vote on such roll call.
- 3. Voting of any delegation under the unit rule shall not be recognized by any County, Congressional District, or State Convention.

(h) Types of Convention Delegations:

- 1. Open Delegation: An open delegation is one which allows all qualified delegates from a precinct or county to attend and vote at a convention. An open delegation must be approved by vote of the County Convention. A sign-up sheet must be provided for persons to indicate their intent to attend the Congressional District or State Convention as a delegate. The list of those persons signing as delegates must be submitted to the Congressional District or State Chairman at least seven (7) days prior to the respective convention. No one person shall cast more than two (2) whole votes. No alternates or proxies will be allowed in an open delegation.
- 2. Delegate-Alternate: A delegate-alternate delegation is one in which the number of delegates matches the allocated votes of the precinct or county convention. The list of those persons elected as delegates-alternates must be submitted to the Congressional District or State Chairman at least seven (7) days prior to the respective convention. No proxies will be allowed in a delegate-alternate delegation.
- 3. **Delegate Contact Information:** A list of authorized delegates and their contact information shall be made available to any delegate requesting said information within seven (7) days after the date of the Convention from which a list is manufactured.

Rule 17 - State Convention Committees

(a) State Convention Committee Members: The number of committee delegates for all convention committees is based on a proportional representation formula, determined by the number of votes cast in the last

presidential or gubernatorial election, in each county for the Republican candidate, with a minimum of one committee member per county. Counties with only one delegate may choose the committee: Platform, Credentials, or Rules, on which that delegate may serve. Each county is allowed one member per every ten percent of delegate votes. No more than fifty percent of committee delegates from a county may serve on any one committee.

(b) State Convention Credentials Committee

- 1. The State Chairman shall appoint the Credentials Committee Chairman.
- The Credentials Committee shall review the delegate list from each County, resolve any disputes, and recommend those eligible to be delegates to the Convention.
- 3. The Credentials Committee report shall be submitted to the State Convention for adoption.

(c) State Convention Platform Committee

- 1. The State Chairman shall appoint the Platform Committee Chairman. The assembled subcommittees shall each select its chairman.
- 2. The State Chairman shall appoint a Platform Editor to edit for grammar, style, and redundancy. The Editor shall have no authority to make substantive changes to the recommended Platform.
- 3. The Platform Committee shall review and revise, as necessary, the last adopted Platform.
- The Platform Committee may meet a maximum of four times before the State Convention. All Platform meetings shall not meet before 9:00 a.m. and shall not extend after 6:00 p.m.
- 5. No substantive changes may be made at the final meeting of the Platform Committee prior to the State Convention.
- 6. The Platform Committee report shall be submitted to the State Convention for debate and adoption.

(d) State Convention Rules Committee

- 1. The State Chairman shall appoint the Rules Committee Chairman.
- 2. The Rules Committee shall review and revise, as necessary, the last adopted Rules.
- 3. The Rules Committee shall specify how additional rules, regulations, or platform planks may be submitted from the floor for consideration, and shall specify the percentages of votes needed for passage.
- 4. The Rules Committee may meet a maximum of four times before the State Convention. All Rules meetings shall not meet before 9:00 a.m. and shall not extend after 6:00 p.m.
- 5. No substantive changes may be made at the final meeting of the Rules Committee prior to the State Convention.
- 6. The Rules Committee report shall be submitted to the State Convention for debate and adoption.

Rule 18- Nomination and Election of Delegates to National Convention and Presidential Electors:

- (a) Nominating Committee: The State Executive Committee shall convene after the close of the Congressional District Conventions and at least two weeks prior to the date of the State Convention for the purpose of selecting nominees for Delegate-at-Large and Alternate-at-Large to the Republican National Convention. The number of names placed in nomination shall be determined by the State Executive Committee.
- **(b) Voting for Nominations:** Members of the State Executive Committee who are seeking nomination to a position of Delegate-at-Large or Alternate-at Large shall not vote on the selection of nominees, nor may they be represented by proxy in the selection of nominees, but they may participate in all other business of the committee.
- (c) List of Nominees: A list of names selected by the State Executive Committee to be placed in nomination at the State Convention, and the position to which they will be nominated, shall be posted on the State Party web site, and sent by mail or electronically ten (10) days prior to the State Convention to each County Republican Chairman by the State Republican Chairman.
- (d) Nominations at State Convention: At the State Convention convened for the purpose of electing Delegates-at-Large and Alternates-at-Large to the Republican National Convention, qualified nominations of the State Executive Committee shall be placed before the convention by the State Chairman, and all other qualified nominations shall be received by the chairman of the State Convention in accordance with the rules adopted by such convention. Election of the Delegates-at-Large and Alternates-at-Large shall be by roll call vote.
- (e) Nominations at Congressional District Conventions: At the Congressional District Conventions convened for the purpose of electing delegates and alternates to the Republican National Convention, qualified nominations shall be received by the chairman of the Congressional District Convention and shall be placed before the Congressional District Convention in accordance with the rules adopted by such convention. Election of three (3) delegates and three (3) alternates from each Congressional District Convention shall be by roll call vote of each county. Each delegate and alternate shall be elected by separate ballot.
- (f) Eligibility of Delegates: A person may serve as a delegate to the Republican National Convention no more than two consecutive times. This limitation shall not, however, prevent the attendance as a delegate of a person appointed to chair one of the National Convention Committees. As required by the Republican National Committee Rules, the State Chairman,

the National Committeeman, and National Committeewoman shall be delegates to the Republican National Convention. The total number of times that a person may be a delegate or alternate is unlimited.

- Qualification of Nominees: A nomination at a convention for the position of delegate or alternate to the Republican National Convention shall be deemed qualified only if the State Convention Secretary or the Congressional District Convention Secretary, whichever is applicable, shall have actually received, pursuant to Convention rules, an affidavit signed by the nominee stating the name and address of the nominee, and certifying that the nominee is a registered voter of the Oklahoma Republican Party, and that the nominee will accept the nomination if elected, and that the vote of the nominee on selection of the Republican candidate for President of the United States at the Republican National Convention shall be cast as provided in 26 O.S. 20-104(h).
 - (h) Award of Delegate Votes: The following method shall be followed by the Oklahoma Republican Party to award delegates votes at the Republican National Convention, based on the canvassed results of the Presidential Preference Primary reported to the Chairman of the ORP by the Secretary of the State Election Board. The method to award delegates that is set out by statute in the State of Oklahoma (presently codified at 26 O.S. 2001 § 20-104B&C) shall be superseded and/or supplanted by this rule.
 - 1. All delegates from the State at Large shall be awarded to a presidential candidate who receives a majority (more than 50%) of the votes in the Republican presidential preference primary election in the state. If no presidential candidate receives a majority of the votes in the state, then the award shall be as follows: based on the relationship that the number of votes received by each presidential candidate bears to the total number of votes cast in the Republican presidential primary election in the entire State; provided that a presidential candidate must receive at least 15 percent of the total vote cast in the State in the Republican presidential preference primary election in order to be entitled to any of the State at Large delegates. The Chairman of the Oklahoma Republican Party shall apportion pro rata the number of delegates from the State at large each of the presidential candidates is entitled to receive rounded to the nearest whole number.
 - 2. All delegates from each congressional district shall be awarded to a presidential candidate who receives a majority (more than 50%) of the votes in the Republican presidential preference primary election in that district. If no presidential candidate receives a majority of the votes in a congressional district, then the award shall be as follows:
 - a. If three or more presidential candidates receive 15 percent or more of such total vote in the district, the top three finishers in the District shall each be awarded one delegate from that

district.

- b. If only two presidential candidates receive 15 percent or more of such total vote in the district, the presidential candidate who receives the most votes in that congressional district shall receive two (2) delegates and the presidential candidate who receives the second most votes in that congressional district shall receive one (1) delegate; and,
- c. If only one presidential candidate receives 15 percent or more of such total vote in the district, such presidential candidate shall be awarded all of the delegates from that district.

A presidential candidate must receive at least 15 percent of the total vote cast in the district in the Republican presidential primary election in order to be entitled to any of the three delegates from that district.

(i) Election of Presidential Electors: Pursuant to Oklahoma State Laws, the Oklahoma Republican Party shall nominate a number of Electors for President and Vice President of the United States of America equal to the number of United States Senators and United States Representatives which the state is entitled to elect. Therefore, each Congressional District Convention shall elect one Presidential Elector and one Alternate Presidential Elector who shall subscribe the duties of said office. The State Convention held in the same presidential election year shall elect two Presidential Electors and two Alternate Presidential Electors who shall subscribe the duties of said office.

Rule 19- General Rules Applicable to Various Officers and Committees

- (a) Additional Officers, Committees, and Rules: All officers, committees, and delegates recognized or established by these rules are authorized to appoint, or elect, their own chairman and such subordinate officers or committees, and promulgate such additional rules, not inconsistent with these rules, as they may deem necessary from time to time to aid them in the performance of their duties, and may discontinue or change any of such officers, committees or rules at any time.
- (b) Quorum of Committees, Delegations, and Conventions: A quorum of the State Committee shall be one hundred (100) delegates or more, present in person or represented by proxy. A majority of the roll of delegates at any duly convened Republican Convention shall constitute a quorum. A majority of those named to any Committee or Delegation shall constitute a quorum. A majority of those registered Republicans who sign in at the biennial general precinct meeting shall constitute a quorum. Once a quorum is established, a quorum shall be deemed to be present until fewer than two thirds (2/3) of the original quorum remain. Any proper legal action may be taken by such committee, delegation, or convention by a majority of the members voting, except when otherwise specifically

provided in these rules or by law.

(c) Proxies: Absent members of any County Committee, Congressional District Committee, or State Committee meeting, or any other official committee meeting, may be represented at such meeting by a written proxy designating the person who is to represent the member, except that there shall be no proxies at any convention or precinct meeting. Any person carrying a proxy must possess the same residence qualifications as the member represented, and if so, shall have the same rights and privileges as a voting member, as shown by the following:

A PROXY MAY BE GIVEN:

FROM:	TO:			
County Chair, Vice-Chair, State Committeeman or State Committeewoman	Any registered Republican in the same county			
Elected State Representative or State Senator	Any registered Republican in their voting district; or a county or congressional district officer on the State Committee in the county where they are registered			
U.S. Congressman	Any registered Republican in their Congressional District			
Elected statewide official, U.S. Senator or Party Chairman, Party Vice Chairman, National Committeeman or National Committeewoman	Any registered Republican in the state			
Auxiliary presidents on the State Committee	Any registered Republican member of their organization in good standing			

No person shall carry more than seven (7) proxies to any meeting. Proxies shall be recognized or considered valid only for the designated meeting. Any proxy may be revoked at any time by the person who gave it, but a proxy may not be transferred to another person by the person carrying the proxy. The use of proxies or proxy voting is hereby prohibited at all precinct meetings and all conventions of the Oklahoma Republican Party. Incomplete proxies shall not be valid.

- (d) Minutes of All Official Actions: Written minutes shall be kept by all County, Congressional District, and State Committee meetings, chartered organizations, and conventions of final official actions taken by them, a copy of which shall be filed with the County Chairman as to all county matters, and with the Congressional District Chairman as to all Congressional District matters, and with the State Chairman as to all State matters. Said minutes shall be available for review by any registered Republican voter upon request to the County, Congressional District, or State Chairman within 10 days of the request.
- (e) Delegation Lists: County, Congressional District, or State Convention, lists of proposed delegates to said conventions shall be available for inspection by any registered Republican voter upon request to the respective Chairman at least ten (10) days prior to the time the respective convention is scheduled to convene. If a permanent County office is

maintained, such delegate list shall be posted in an appropriate location for inspection by registered Republican voters.

- (f) Delivery of Books, Records, Funds and Property to Successors: Every officer, committee and each member thereof, and delegates of any Republican organization of Oklahoma, upon removal, resignation, disqualification, or termination of office, shall at once deliver to the successor or to the officer or body from which one was appointed or elected, all of the papers, books, records, funds, and property kept or received in such official capacity, or in one's possession, belonging to the Oklahoma Republican Party.
- (g) Removal of Officers, Committee Members, and Delegates: Except as otherwise specifically provided in these rules, any officer, committee member or delegate of any organization, committee, delegation, or unit of the Oklahoma Republican Party, may at any time be removed in the same manner and by the same power or authority by which one was appointed or elected.

Any County Chairman or Vice Chairman, or any member of the State Committee, or any Congressional District Committee, may be removed at any time for cause by a majority vote of the entire existing membership of the County Committee of their County.

The State Chairman, Vice Chairman, National Committeeman, or National Committeewoman may be removed at any time for cause by a majority vote of the entire existing membership of the State Committee.

Causes for removal shall include but not be limited to the following: (1) Misappropriation of funds under the rules of the Republican Party; (2) Failure to follow the rules of the Oklahoma Republican Party; (3) Conviction of a felony; and (4) Publicly supporting or endorsing an opponent of candidates of the Republican Party.

Any such removals, except as to precinct officers as provided under Rule 5 (f) and any removals authorized under Rule 6(f), may be ordered only after ten (10) days notice in writing has been given to the person charged, stating the cause and time and place of hearing thereon, and after the person has had the opportunity to present evidence, witnesses, and to be heard personally and by counsel.

(h) Charters for Auxiliary Groups: Any group in Oklahoma which purports to represent the Republican Party must obtain a charter from the State Executive Committee which shall be issued only on a majority vote of said committee and such charter may be revoked by a two-thirds (2/3) vote of said committee; both the granting and revocation are subject to approval by a majority vote of the State Committee.

Auxiliary groups must report all contributions given to federal candidates in accordance with Federal Election Commission rules and to the state party chairman within five days of such contribution.

Rule 20- Applicability, Effectiveness, and Amendment of Rules

- (a) Rules as to Towns and Cities: These rules are not intended to extend to, or establish organizations for the Republican Party of the various towns and cities of the state as separate units from the precincts and counties of the State of Oklahoma. Qualified and registered Republican voters of the towns and cities of the state may organize and promulgate their own rules not inconsistent with these rules and the organizations herein established.
- (b) Rules as to Counties and Congressional Districts: The County Committees and County Conventions of each county of the state, and the Congressional District Committees and Conventions are specifically authorized to promulgate such additional rules and establish such additional party officers, committees, or organizations for their respective counties and congressional districts, not inconsistent with these rules and the law, as shall be deemed necessary by them for the welfare of the Party.
- (c) Matters not covered by Rules: All question of procedure and other matters affecting the Oklahoma Republican Party, or any of its organizations, unit meetings, or conventions, which are not specifically covered in these rules shall be governed by Robert's Rules of Order, Newly Revised, and the law of the State of Oklahoma, whichever may be applicable.
- (d) Effective Date of Rules, Amendments, or Changes: Any amendments or changes to these rules shall become effective immediately upon adjournment of the State Convention or State Committee meeting which adopts them. This, however, shall not invalidate any actions taken under the previous rules.
- (e) Amendment of Rules by State Convention: These rules may be amended and changed by a majority vote of any State Convention by either of the following methods: (1) Amendment must first be submitted to the State Executive Committee, which shall, with or without recommendation, include a copy of the proposed change in the Call authorized in Rule 16 (c); (2) Amendment proposed by a vote of a County or Congressional District Convention shall be submitted to a vote at the next succeeding State Convention if filed with the State Chairman within five (5) days after adjournment of said County or Congressional District Convention. Notice of amendments proposed by a County or Congressional District Convention shall be given by the State Chairman by written or electronic notice to the Chairman of each County delegation, or

if no other delegation chairman has been designated, to the County Chairman, at least ten (10) days prior to said State Convention. Any failure of a state convention to take due parliamentary action on a county's or district's proposed amendment at the state convention shall result in the same amendment being first order of business at the next state convention. Any failure by any county, district, or state leader to present an amendment passed by a county or district convention shall be deemed a Rule 3(a) violation of a sacred and inviolate right of party participation.

(f) Amendment of Rules by State Committee: These rules may also be amended and changed by the State Committee, provided a majority of the entire committee is present, by a vote of two-thirds (2/3) of the members present and voting at the committee meeting called pursuant to ten (10) days written or electronic notice to all members of the State Committee stating the purpose of the meeting with a copy of the proposed amendment or amendments to the rules; and provided further, that any amendment to these rules by the State Committee which in any way affects the allocation or method of selection of delegates to conventions, the frequency or method of call of conventions, the composition of the State Committee, or the method for amending these rules shall be subject to the approval or disapproval as a whole by a majority vote of the next State Convention and shall not take effect under Rule 20 19(d) until adjournment of said State Convention.

Revised 6/26/2010; 8/27/2011; 4/20/2013

Addendum A

Oklahoma Republican Party Meeting and Convention Four- year Cycle Schedule:

Biennial Precinct Meetings, County Conventions, and State Conventions: (odd # years.)

Quadrennial District Meeting: (odd # years prior to Presidential election year.)

Quadrennial Precinct Meetings, and County, District, State, and National Conventions: (Presidential election year)

Meeting Type	Odd # years prior to Pres election	Even # years when Pres election	Odd # years	Even # years when Governor election
Precinct Meeting	Yes (1)	Yes (2)	Yes (3)	No
County Convention	Yes (4)	Yes (5)	Yes (6)	No
District Meeting	Yes (7)	No	No	No
District Convention	No	Yes (8)	No	No
State Convention	Yes (9)	Yes (10)	Yes (11)	No
National Convention	No	Yes (12)	No	No

Primary business of called meeting or convention:

- (1) Elect delegates to county convention and elect precinct officers for two-year term
- (2) Elect delegates to county convention
- (3) Elect delegates to county convention and elect precinct officers for two-year term
- (4) Elect delegates to state convention and elect county officers for two-year term
- (5) Elect delegates to state convention and district convention
- (6) Elect delegates to state convention and elect county officers for two-year term
- (7) Elect district officers for four-year term
- (8) Elect three delegates and three alternates to the national convention, and a Presidential elector and alternate.
- (9) Elect state chairman and vice chairman for two-year term
- (10) Elect at-large delegates and alternates to the national convention, elect national committeeman and national committeewoman, and Presidential electors and alternates.
- (11) Elect state chairman and vice chairman for two-year term
- (12) Elect presidential and vice presidential candidates.

United States Senate

Hon. Jim Inhofe

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OKC: 1900 NW Expressway, Suite 1210 • Oklahoma City, OK 73118 • 405-608-4381 • Fax 405-608-4120 Tulsa: 1924 S. Utica, Suite 530 • Tulsa, OK 74104 • 918-748-5111 • Fax 918-748-5119 Enid: 302 N. Independence, Suite 104 • Enid, OK 73701 • 580-234-5105 • Fax 580-234-5094 McAlester: 215 E. Choctaw, Suite 106 • McAlester, OK 74501 • 918-426-0933 • Fax 918-426-0935

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Tulsa: 2448 E. 81st St., Suite 5150 • Tulsa, OK 74137 • 918-935-3222 • Fax 918-935-2716

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U.S. House of Representatives 1113 Longworth House Office Building Washington D.C. 20515 202-225-2701 • Fax 202-225-3038 Agricultural Aide: Michael Stwarka

McAlester: 1 E. Choctaw, Suite 175 • McAlester, OK 74501 • 918-423-5951 • Fax 918-423-1940 Muskogee: 431 W. Broadway • Muskogee, OK 74401 • 918-687-2533 • Fax 918-686-0128

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Yukon: 10952 NW Expressway, Suite B • Yukon, OK 73099 • 405-373-1958 • Fax 405-373-2046

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Hon. Tom Cole

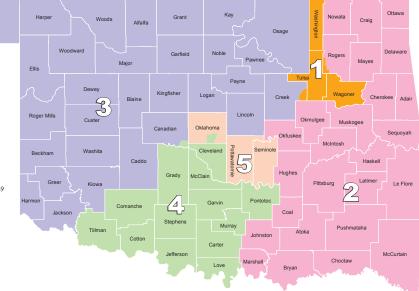
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Lawton: 711 SW D Ave., Suite 201 • Lawton, OK 73501 • 580-357-2131 • Fax 580-357-7477 Norman: 2424 Springer Dr., Suite 201 • Norman, OK 73069 • 405-329-6500 • Fax 405-321-7369 Ada: 100 E. 13th St., Suite 213 • Ada, OK 74820 • 580-436-5375 • Fax 580-436-5451

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REPRESENTATIVE BOBBY CLEVELAND DISTRICT 20 - REPUBLICAN





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CAPITOL ADDRESS:

2300 N. Lincoln Blvd. Room 434 Oklahoma City, OK 73105 (405) 557-7308

LEGISLATIVE ASSISTANT:

Natasha Holliday* (405) 557-7308 * Providing Interim Coverage

EMAIL:

Send Email

DISTRICT INFORMATION

Click here to view the member's full district 20 map.

COUNTY(S) REPRESENTED IN DISTRICT

Cleveland, Garvin, McClain, Pottawatomie

MUNICIPALITY(S) REPRESENTED IN DISTRICT

Asher, Blanchard, Byars, Cole, Etowah, Goldsby, Lexington, Newcastle, Noble, Norman, Paoli, Pauls Valley, Purcell, Rosedale, Slaughterville, Wanette

ZIPCODE(S) REPRESENTED IN DISTRICT

73010, 73026, 73051, 73065, 73068, 73072, 73074, 73075, 73080, 73093, 73095, 73098, 74826, 74831, 74852, 74872, 74878

YEAR ELECTED

Year: 2013

TERM LIMITED

Year: 2024

BIOGRAPHICAL INFORMATION

LEGISLATIVE SERVICE:

House of Representatives, 54th Legislature to present

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Tuls



Tulsa County, Oklahoma

About the Tulsa County Election Board

The Tulsa County Election Board currently consists of three Board members and a staff of seventeen. The Board members are Elaine Dodd, Chairman; George Wiland, Vice-Chairman and Patty Bryant, Secretary. The Chairman and Vice-Chairman are appointed by their political party and the Secretary is appointed by Tulsa County senators. All appointments are certified by the State Election Board. The Chairman and Vice-Chairman are present when the Board is taking any action, such as certifying election results or conducting a contest of candidacy hearing. The Secretary of the Election Board actually directs the Board and oversees the administration of the office.

The Assistant Secretary executes many functions in conjunction with the Secretary.

Within the staff, there are several employees who perform many job functions, including:

The Absentee Ballot Coordinator is responsible for staffing Absentee Voting Boards for early in-person voting and nursing home voting. Tulsa County employs over 40 absentee voting board members. The Absentee Department is also responsible for processing absentee ballot requests, mailing absentee ballots and receiving and maintaining security of voted absentee ballots.

The Accounting Department at the Election Board is responsible for the payrolls of all areas performing services and also the billing of each entity calling for an election.

The Election Services Coordinator is responsible for a large portion of the preparation of all elections that are conducted, including preparing and issuing election day ballots and supplies to the precinct Inspectors.

The Election Support Specialist enters all the specific parameters for each election on the computer so that the ballots will be counted electronically.

The Registrar Technician maintains current maps and street segments within Tulsa County, in addition to overseeing the Registration and Information Department, where currently approximately 330,000 Tulsa County voter registration documents are kept and updated according to residency. This department is also responsible for applying vote credit for each voter after each election.

The Precinct Official and Polling Department recruits, trains, and maintains files for all precinct officials in Tulsa County, as well as staffing precincts and corresponding with precinct polling locations for each election. Tulsa County employs approximately 1,100 precinct officials to staff 262 precincts. Each precinct is required to have an Inspector, Judge, and Clerk. For large elections, a Provisional Voting officer may also be present.

The Training Resource Technician is responsible for finding and maintaining all polling locations in Tulsa County and for voting equipment delivery, setup and return for each election. In addition, this department is responsible for the maintenance and upkeep of our 320 voting devices. Each device is cleaned, serviced and tested before use in every election.

The voting devices currently in use are the Hart InterCivic e-Scan AT. This device was purchased by the State of Oklahoma in late 2011 for use in the 2012 elections and all elections thereafter. Oklahoma was the first state to have a statewide voting system, meaning that all 77 counties in Oklahoma are computerized and use the same voting equipment.

The various types of elections are: Statewide Regular Primary, Runoff and General, Presidential Primary, Annual School, Special School, Regular Municipal, Special Municipal and County Specials. The preparation time for an election takes weeks and sometimes even months.

Precinct boundaries must adhere to all congressional, State Senate, State House, Judicial and County Commission district lines. This becomes a major project every 10 years after the Federal decennial census is taken.

The Tulsa County Election Board office is located at 555 North Denver, in Tulsa. Our office hours are 8 a.m. to 5 p.m. Monday through Friday. Registration application cutoffs are 24 days before each election. Absentee ballots by mail may be requested until 5 p.m. on the Wednesday before the election and must be returned to the Election Board via U.S. Mail or a private mail service that provides delivery documentation by 7 p.m. on election day. In-person absentee voting is available on the Thursday and Friday before all elections from 8 a.m. to 6 p.m. In Federal and State elections, in-person absentee voting is additionally available on the Saturday before elections from 9 a.m. to 2 p.m.For additional information call the Tulsa County Election Board office at (918) 596-5780.







HOME \ SEARCH \ MARSHALL, LAUREE ELIZABETH

If you have questions about information contained on this page, please contact your County Election Board. Contact information is located at the bottom of this page.

Voter Information for MARSHALL, LAUREE ELIZABETH

Voter ID: 801284353

Birth Date: 04/07/1982

Zip Code: 73099

Affiliation: Republican

County: CANADIAN

Precinct: 090214

Congressional: 03

State Senate: 022

State House: 043 County Commissioner: 03

School District: YUKON PUBLIC SCHOOLS
Municipality: CITY OF YUKON, WARD 03

Tech Center: CANADIAN VALLEY TECHNOLOGY CENTER

Absentee Ballot Status

Election	Election	Ballot	Delivery	Sent	Received Date	Ballot	Rejection
Date	Description	Type	Method	Date		Counted	Reason
No Absentee Ballots Found							

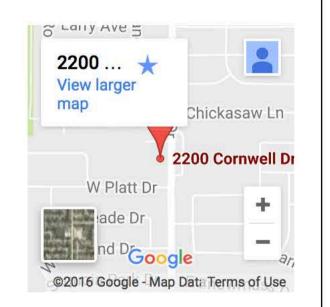
Sample Ballots Available about 2 weeks prior to election date.

Election Date	Election Description	Political Affiliation	
No Sample Ballots Found			

Polling Place

Name: TOWN & COUNTRY CHRISTIAN CHURC

Address: 2200 S CORNWELL DR YUKON, OK 73099





Mark Thomas

279 connections

Executive Vice President at Oklahoma Press Association

Oklahoma City, Oklahoma Area Newspapers

Current Oklahoma Press Association

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Experience

Executive Vice President

Oklahoma Press Association

Present

Mark Thomas



Oklahoma Electoral College Updates: 7 For Trump

SoonerPolitics.org
 □ December 19, 2016
 □ 0

UPDATE: Oklahoma Federal Elector, David Oldham posted – "Votes have been cast, ceremonies are done. Oklahoma voted all 7 votes for Donald Trump. No electors were replaced. More photos coming, but I am waiting for a press conference to begin. Almost done with my 15 minutes of fame." Mark Thomas, Lauree Marshall, Teresa Turner, Bobby Cleveland, David Oldham, George Wiland, Charlie Potts 9:08amcstWe just spoke with [...]

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Mark Thomas







Mark Thomas was a 2014 Republican candidate for District 22 of the Oklahoma State Senate.

Issues

Campaign themes

2014

Thomas' campaign website highlighted the following issues:[1]

My Commitment:

- Excerpt: "Defend States' Rights and Personal Liberties by opposing Obama Care, Common Core, and any similar legislation. I will demand the Tenth Amendment be observed. Our Bill of Rights still
- Excerpt: "Reduce Government Spending, Debt, and Taxes, thereby stimulating economic growth and job creation."
- Excerpt: "Restore the Free Market by repealing laws which create winners and losers and abolish corporate welfare."
- Excerpt: "Uphold Traditional Conservative American Values."

Elections

2014

See also: Oklahoma State Senate elections, 2014

Elections for the office of Oklahoma State Senate took place in 2014. A primary election took place on June 24, 2014. The general election was held on November 4, 2014. The signature filing deadline for candidates wishing to run in this election was April 11, 2014. Stephanie Bice and Mark Thomas defeated Leif Francel in the Republican primary. Bice defeated Thomas in the August 26 primary runoff, leaving her unchallenged in the general election.[2][3][4]

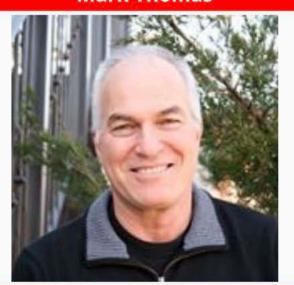
Oklahoma State Senate, District 22 Republican Primary, 2014 [hide				
Candidate	Vote %	Votes		
✓Stephanie Bice (advanced to runoff)	37.2%	3,191		
✓Mark Thomas (advanced to runoff)	2,845			
Leif Francel	29.6%	2,537		
Total Votes	8,573			
Oldskama State Sameta Biotolet 22 B		ra-cana nganganga		

Oklahoma State Senate, District 22, Run-off Republican Primary, 2014

[show]

The information about this individual is current as of when his or her last campaign ended. Please contact us @ with any updates.

Mark Thomas



Oklahoma State Senate, District 22

Former candidate

Party

Republican

Websites

Campaign website 🗗



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HOME \ SEARCH \ THOMAS, MARK ALAN

If you have questions about information contained on this page, please contact your County Election Board. Contact information is located at the bottom of this page.

Voter Information for THOMAS, MARK ALAN

Voter ID: 800164474

Birth Date: 09/20/1959

Zip Code: 73099

Affiliation: Republican

County: CANADIAN

Precinct: 090214

Congressional: 03

State Senate: 022

State House: 043

County Commissioner: 03

School District: YUKON PUBLIC SCHOOLS **Municipality**: CITY OF YUKON, WARD 02

Tech Center: CANADIAN VALLEY TECHNOLOGY CENTER

Absentee Ballot Status

Election	Election	Ballot	Delivery	Sent	Received	Ballot	Rejection
Date	Description	Туре	Method	Date	Date	Counted	Reason
No Absentee Ballots Found							

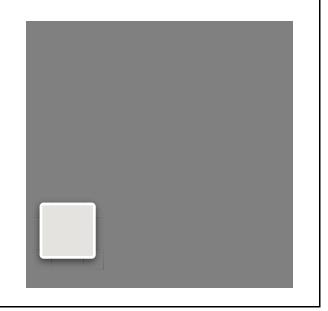
Sample Ballots Available about 2 weeks prior to election date.

Election Date	Election Description	Political Affiliation				
No Sample Ballots Found						

Polling Place

Name: TOWN & COUNTRY CHRISTIAN CHURC

Address: 2200 S CORNWELL DR YUKON, OK 73099



County Election Board

Name: CANADIAN COUNTY ELECTION BOARD Street Address: 200 S Bickford Ave

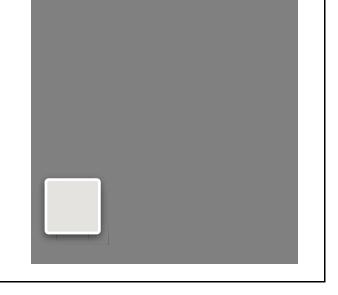
El Reno, OK 73036

Mail Address: PO Box 307

El Reno, OK 73036-0307

Open Time: 8:00 AM Close Time: 4:30 PM Phone: 405-422-2422 Fax: 405-422-2450

Email: votinginfo@canadiancounty.org











United States Senate

Hon. Jim Inhofe

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United States House of Representatives

DISTRICT ONE Hon. Jim Bridenstine

U.S. House of Representatives 216 Cannon House Office Building Washington, D.C. 20515 202-225-2211 • Fax 202-225-9187 Agricultural Aide: Mark Piland

Tulsa: 2448 E. 81st St., Suite 5150 • Tulsa, OK 74137 • 918-935-3222 • Fax 918-935-2716

DISTRICT TWO

Hon. Markwayne Mullin

U.S. House of Representatives 1113 Longworth House Office Building Washington D.C. 20515 202-225-2701 • Fax 202-225-3038 Agricultural Aide: Michael Stwarka

McAlester: 1 E. Choctaw, Suite 175 • McAlester, OK 74501 • 918-423-5951 • Fax 918-423-1940 Muskogee: 431 W. Broadway • Muskogee, OK 74401 • 918-687-2533 • Fax 918-686-0128

DISTRICT THREE

Hon. Frank Lucas

U.S. House of Representatives 2405 Rayburn House Office Building Washington D.C. 20515 202-225-5565 • Fax 202-225-8698 Agricultural Aide: Scott Ferguson

Yukon: 10952 NW Expressway, Suite B • Yukon, OK 73099 • 405-373-1958 • Fax 405-373-2046

DISTRICT FOUR

Hon. Tom Cole

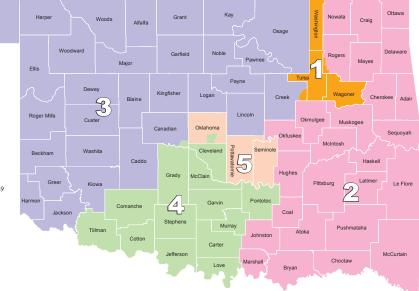
U.S. House of Representatives 2467 Rayburn House Office Building Washington D.C. 20515 202-225-6165 • Fax 202-225-3512 Agricultural Aide: Stratton Edwards

Lawton: 711 SW D Ave., Suite 201 • Lawton, OK 73501 • 580-357-2131 • Fax 580-357-7477 Norman: 2424 Springer Dr., Suite 201 • Norman, OK 73069 • 405-329-6500 • Fax 405-321-7369 Ada: 100 E. 13th St., Suite 213 • Ada, OK 74820 • 580-436-5375 • Fax 580-436-5451

DISTRICT FIVE

Hon. Steve Russell

U.S. House of Representatives 128 Cannon House Office Building Washington, DC 20515 202-225-2132 • Fax 202-226-1463 Agricultural Aide: Cody Hoefer Del City: 4600 SE 29th, Suite 400 • Del City, OK 73115 405-602-3074 • Fax 405-602-3953





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REPRESENTATIVE CLEVELAND, BOBBY DISTRICT 20 - REPUBLICAN





Hi-Resolution Photo Link!

CAPITOL ADDRESS:

2300 N. Lincoln Blvd. Room 434 Oklahoma City, OK 73105 (405) 557-7308

LEGISLATIVE ASSISTANT:

Natasha Holliday* (405) 557-7308 * Providing Interim Coverage

EMAIL:

bob.cleveland@okhouse.gov

DISTRICT INFORMATION

Click here to view the member's full district 20 map.

COUNTY(S) REPRESENTED IN DISTRICT

Cleveland, Garvin, McClain, Pottawatomie

MUNICIPALITY(S) REPRESENTED IN DISTRICT

Asher, Blanchard, Byars, Cole, Etowah, Goldsby, Lexington, Newcastle, Noble, Norman, Paoli, Pauls Valley, Purcell, Rosedale, Slaughterville, Wanette

ZIPCODE(S) REPRESENTED IN DISTRICT

73010, 73026, 73051, 73065, 73068, 73072, 73074, 73075, 73080, 73093, 73095, 73098, 74826, 74831, 74852, 74872, 74878

YEAR ELECTED

Year: 2013

TERM LIMITED

Year: 2024

BIOGRAPHICAL INFORMATION

LEGISLATIVE SERVICE:

House of Representatives, 54th Legislature to present

Back to Previous Page

Oklahoma (OK) - 74008

As of the 2010 census, zip code 74008 is located in the 1st District of Oklahoma.



≡ See all District Zip Codes

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Representative



Jim Bridenstine



Party



Representing

Congressional District 1, OK

Start Year

2013 (4 years)

DX

Website

bridenstine.house.gov

Phone

202-225-2211



HOME \ SEARCH \ TURNER, TERESA LYN

If you have questions about information contained on this page, please contact your County Election Board. Contact information is located at the bottom of this page.

Voter Information for TURNER, TERESA LYN

Voter ID: 010024048

Birth Date: 10/17/1955

Zip Code: 74960

Affiliation: Republican

County: ADAIR

Precinct: 010005

Congressional: 02

State Senate: 003

State House: 086

County Commissioner: 01

School District: ROCKY MOUNTAIN PUBLIC SCHOOL

Municipality:

Tech Center: INDIAN CAPITAL TECHNOLOGY CENTER

Absentee Ballot Status

Election	Election	Ballot	Delivery	Sent	Received	Ballot	Rejection
Date	Description	Туре	Method	Date	Date	Counted	Reason
No Absentee Ballots Found							

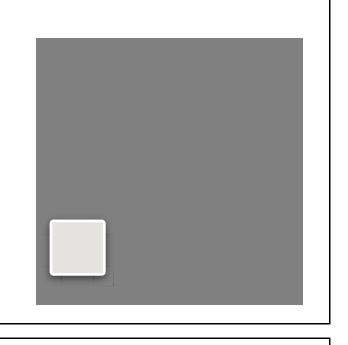
Sample Ballots Available about 2 weeks prior to election date.

Election Date	Election Description	Political Affiliation
No Sample Ballots Found		

Polling Place

Name: ROCKY MTN COMMUNITY CHURCH Address: ROCKY MTN COMMUNITY CHUR

STILWELL, OK 74960



Name: ADAIR COUNTY ELECTION BOARD
Street Address: 4 E Walnut St

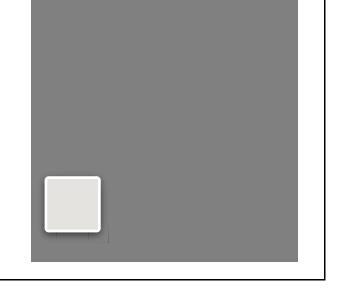
Stilwell, OK 74960

Mail Address: PO Box 6

Stilwell, OK 74960-0006

Open Time: 8:00 AM
Close Time: 4:00 PM
Phone: 918-696-7221
Fax: 918-696-4905

Email: adairceb@yahoo.com



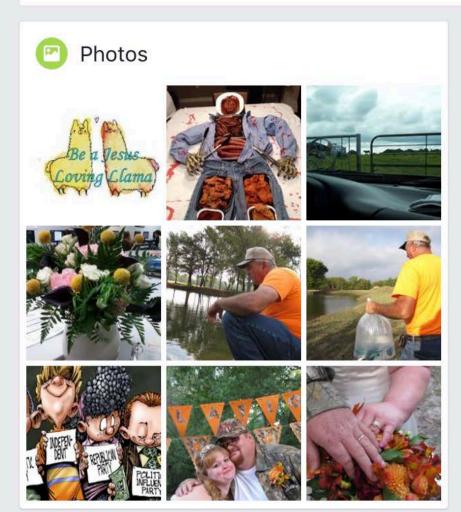


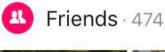




















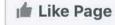






Rockit News

October 22, 2016 · 🚱



Plus Hillary's crooked uranium deal with Russia



Comment



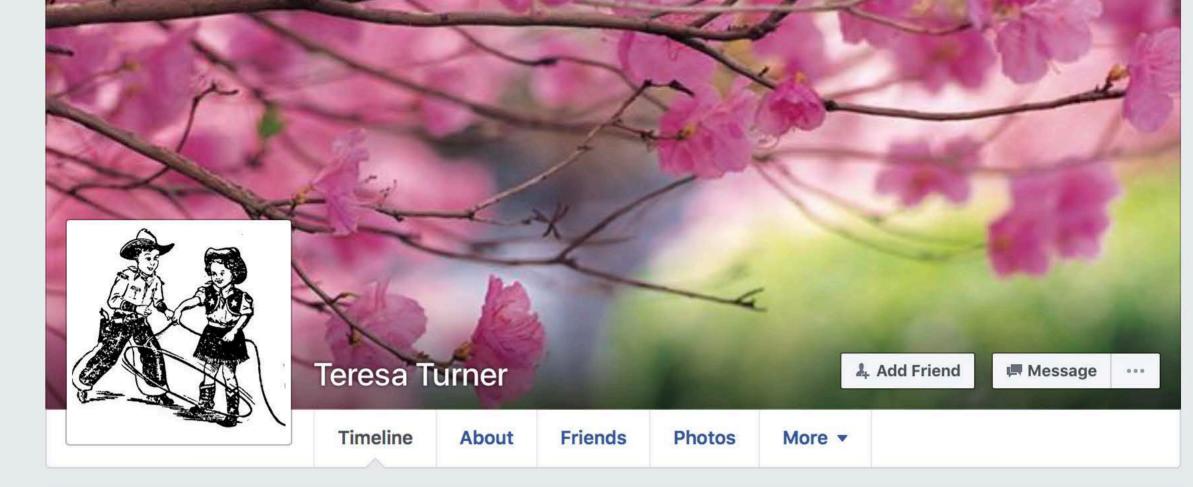
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Liz Rank The four-minute response time has been public knowledge for ages. What frightens me is Mr. Trump's short fuse and frequent angry responses... and that it will be combined with that four minutes. Before you vote on December 19----do you trust the lives... See More

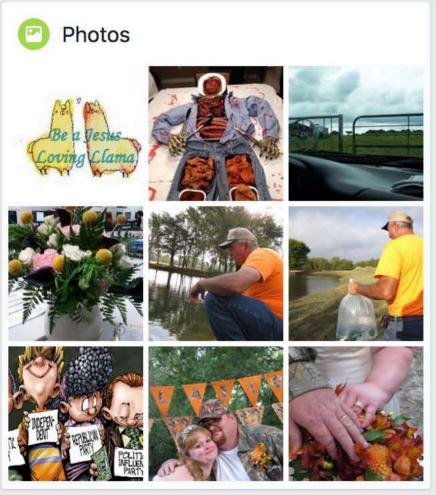
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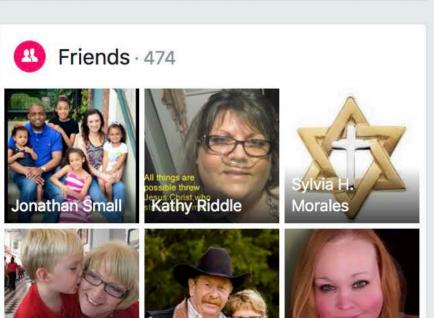


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HOME \ SEARCH \ MARSHALL, LAUREE ELIZABETH

If you have questions about information contained on this page, please contact your County Election Board. Contact information is located at the bottom of this page.

Voter Information for MARSHALL, LAUREE ELIZABETH

Voter ID: 801284353

Birth Date: 04/07/1982

Zip Code: 73099

Affiliation: Republican

County: CANADIAN

Precinct: 090214

Congressional: 03

State Senate: 022

State House: 043

County Commissioner: 03

School District: YUKON PUBLIC SCHOOLS Municipality: CITY OF YUKON, WARD 03

Tech Center: CANADIAN VALLEY TECHNOLOGY CENTER

Absentee Ballot Status

Election Date	Election Description	Ballot Type	Delivery Method	Sent Date	Received Date	Ballot Counted	Rejection Reason
No Absentee	Ballots Found						

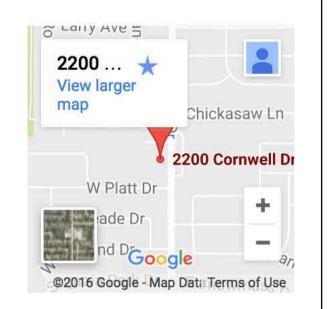
Sample Ballots Available about 2 weeks prior to election date.

Election Date	Election Description	Political Affiliation	
No Sample Ballots Found			

Polling Place

Name: TOWN & COUNTRY CHRISTIAN CHURC

Address: 2200 S CORNWELL DR YUKON, OK 73099



SAMPLE BALLOT

This sample ballot worksheet was created with you in mind. There are blank spaces for you to write in your selection for each office as you do your research and make your personal voting selections. Then, when you head into the ballot box, you can take this worksheet with you to help you fill out your official ballot! The sample ballot pictured is a sample ballot from Oklahoma County. Your county wide races may differ, so there may be more or fewer boxes, especially for judicial retention. To find your precinct location, absentee ballot request form, and personalized sample ballot visit:

OFFICIAL BALLOT GENERAL ELECTION November 08, 2016

COLINTY OR AHOMA

COUNTY, OKLAH	Page 1/2	
TO VOTE: FILL IN THE BOX NEXT TO YOUR CHOICE(S) LIKE THIS:	CONGRESSIONAL OFFICERS	JUDICIAL RETENTION
	FOR UNITED STATES SENATOR	Vote separately on each justice or judge; they are not running against each other.
Correct Incorrect	(Vote for One)	JUSTICES OF THE OKLAHOMA SUPREME COURT
A straight party vote is a vote for all candidates of that party in partisan races.		SUPREME COURT DISTRICT Shall of the OKLAHOMA SUPREME COURT be retained in office?
STRAIGHT PARTY VOTING (Vote for One) REPUBLICAN		YES NO
LIBERTARIAN ###	FOR UNITED STATES REPRESENTATIVE	SUPREME COURT DISTRICT Shall of the OKLAHOMA SUPREME COURT be retained
PRESIDENTIAL	DISTRICT (Vote for One)	in office?
ELECTORS FOR PRESIDENT AND VICE PRESIDENT		JUDGES OF THE OKLAHOMA COURT OF CRIMINAL APPEALS
(Vote for One) FOR PRESIDENT AND VICE PRESIDENT		COURT OF CRIMINAL APPEALS DISTRICT Shall of the OKI AHOMA
DONALD J. TRUMP MICHAEL R. PENCE REPUBLICAN	LEGISLATIVE, DISTRICT, AND COUNTY OFFICERS	COURT OF CRIMINAL APPEALS be retained in office?
FOR ELECTORS [DAVID OLDHAM [TERESA LYN TURNER [MARK THOMAS [BOBBY CLEVELAND [LAUREE ELIZABETH MARSHALL [CHARLES W POTTS [GEORGE W. WILAND, JR.	FOR STATE REPRESENTATIVE DISTRICT (Vote for One)	COURT OF CRIMINAL APPEALS DISTRICT Shall of the OKLAHOMA COURT OF CRIMINAL APPEALS be retained in office? YES
FOR PRESIDENT AND VICE PRESIDENT GARY JOHNSON	FOR COUNTY CLERK (Vote for One)	JUDGES OF THE OKLAHOMA COURT OF CIVIL APPEALS
BILL WELD LIBERTARIAN FOR ELECTORS [ERIN ADAMS [MIKEL DILLON		COURT OF CIVIL APPEALS DISTRICT - OFFICE Shall of the OKLAHOMA COURT OF CIVIL APPEALS be
[JOEL BRITT DIXON [REX L LAWHORN [EPHRIAM ZACHARY KNIGHT	FOR COUNTY SHERIFF (Vote for One)	retained in office? YES NO
[CRAIG A. DAWKINS [MARK C. DESHAZO FOR PRESIDENT AND VICE PRESIDENT HILLARY CLINTON TIM KAINE DEMOCRAT FOR ELECTORS	FOR COUNTY COURT CLERK (Vote for One)	COURT OF CIVIL APPEALS DISTRICT - OFFICE Shall of the OKLAHOMA COURT OF CIVIL APPEALS be retained in office? YES NO
[MARQ LEWIS [BILL JOHN BAKER [MARK HAMMONS [BETTY MCELDERRY [W. A. DREW EDMONDSON [JEANNIE McDANIEL [RHONDA WALTERS		COURT OF CIVIL APPEALS DISTRICT - OFFICE Shall of the OKLAHOMA COURT OF CIVIL APPEALS be retained in office? YES NO

COUNTY, OKLAHOMA

PRECINCT	
OLLING LOCATION:	

Page 2/2

STATE QUESTIONS

STATE QUESTION NO. 776 **LEGISLATIVE**

REFERENDUM NO. 367

This measure adds a new section to the This measure adds a new section to the Oklahoma Constitution, Section 9A of Article 2. The new Section deals with the death penalty. The Section establishes State constitutional mandates relating to the death penalty and methods of execution. Under these constitutional requirements:

-The Legislature is ex pressly empowered to designate any method of execution not prohibited by the United States Constitution.
-Death sentences shall not be reduced because a method of execution is ruled to be

- because a method of execution is ruled to be
- · When an execution method is declared invalid, the death penalty imposed shall remain in force until it can be carried out using any valid execution method, and
- valid execution method, and
 'The imposition of a death penalty under
 Oklahoma law-as distinguished from a method
 of execution-shall not be deemed to be or
 constitute the infliction of cruel or unusual
 punishment under Oklahoma's Constitution,
 nor to contravene any provision of the
 Oklahoma Constitution.

FOR THE PROPOSAL
YES

AGAINST THE PROPOSAL - NO

STATE QUESTION NO. 777 **LEGISLATIVE** REFERENDUM NO. 368

REFERENDUM NV. 308
This measure adds Section 38 to Article II of the Oklahoma Constitution. The new Section creates state constitutional rights. It creates the following guaranteed rights to engage in farming and ranching:

-The right to make use of agricultural technology,
-The right to make use of livestock procedures, and

- procedures, and
- The right to make use of investock procedures, and

 The right to make use of ranching practices. These constitutional r ights receive extra protection under this measure that not all constitutional rights receive. This extra protection is a limit on lawmakers' ability to interfere with the exercise of these rights. Under this extra protection, no law can interfere with these rights, unless the law is justified by a compelling state interest-a clearly identified state interest of the highest order. Additionally, the law must be necessary to serve that compelling state interest. The measure-and the pro tections identified measure-and the pr otections identified above-do not apply to and do not impact state laws related to:
- Trespass
- Eminent domain,
 Dominance of mineral interests,
- Fasements
- Right of way or other property rights, and
 Any state statutes and political subdivisior ordinances enacted befor e December 31,

FOR THE PROPOSAL
VES

AGAINST THE
PROPOSAL - NO

STATE QUESTION NO. 779 INITIATIVE PETITION NO. 403

This measure adds a new Article to the Oklahoma Constitution. The article creates a limited purpose fund to increase funding for limited purpose fund to increase funding for public education. It increases State sales and use taxes by one cent per dollar to provide revenue for the fund. The revenue to be used for public education shall be allocated: 69.50% for common school districts, 19.25% for the institutions under the authority of the Oklahoma State Regents for Higher Education, 3.25% for the Oklahoma Department of Career and Technology Education, and 8% for the State Department of Education, It requires te acher salary increases

Education. It requires t eacher salary increases funded by this measure ra ise teacher salaries by at least \$5,000 over the salaries paid in the year prior to adoption of this measure. It equires an annual audit of school districts' use onies. It prohibits sc hool districts' use of of monies. It prohibits sc hool districts' use of these funds for in creasing superintendents' salaries or adding super intendent positions. It requires that monies from the fund not supplant or replace other educational funding. If the Oklahoma Board of Equalization determines funding has been replaced, the Legislature may not make any appropriations until the amount of replaced funding is returned to the fund. The article takes effect on July 1 after its passage.

on July 1 after its passage.
FOR THE PROPOSAL
VES

AGAINST THE PROPOSAL - NO

STATE QUESTION NO. 780 INITIATIVE PETITION NO. 404

This measure amends existing Oklahoma laws and would change the classification of certain drug possession and property crimes from felony to misdemeanor. It would make possession of a limited quantity of drugs a misdemeanor. The am endment also changes the classification of certain drug possession crimes which are current. We considered felonies crimes which are current ly considered felonies and cases where the defendant has a prior drug possession convication. The proposed amendment would reclassify these drug possession cases as misdemeanors. The possession cases as misdemeanors. The amendment would increase the threshold dollar amount used for determining whether certain property crimes are considered a felony or misdemeanor. Currently, the threshold is \$500. The amendment would increase the amount to \$1000. Property crimes covered by this change include; false declaration of a pawn ticket, embezzlement, larceny, grand larceny, theft, receiving or concealing stolen property, taking domesticated fish or game, fraud, forgery, counterfeiting, or issuing bogus checks. This measure would become e ffective July 1, 2017.

FOR TH	E PROPOSAL
YES	

AGAINST THE
PROPOSAL - NO

STATE QUESTION NO. 781 INITIATIVE PETITION NO. 405

This measure creates the County Community Safety Investment Fund, only if voters app State Question 780, the Oklahoma Smart State Question 780, the Oklahoma Smart Justice Reform Act. This measure would create a fund, consisting of any calculated savings or averted costs that accrued to the State from the implementation of the Oklahoma Smart Justice Reform Act in reclassifying certain property crimes and drug possession as misdemeanors. The measure requires the Office of Management and Enterprise Services to use either actual data or its best estimate to determine how much money was saved on a vearly basis. The money was saved on a yearly basis. The amount determined to be saved must be deposited into the Fund and distributed to counties in proportion to their population to provide community rehabil itative programs, such as mental health and substance abuse such as mental health and substance abuse services. This measure will not become effective if State Question 780, the Oklahoma Smart Justice Reform Act, is not approved by the people. The measure will become effective on July 1 immediately following its passage.

FOR ⁻	THE PROPOSAL
YES	

AGAINST THE	
PROPOSAL - NO	

STATE QUESTION NO. 790 LEGISLATIVE REFERENDUM NO. 369

This measure would remove Article 2, Section 5 of the Oklahoma Constitution, which prohibits the government from using public money or property for the direct or indirect benefit of any religion or religious institution. Article 2, Section 5 has been interpreted by the Oklahoma courts as requiring the removal of 1.7 mc forms of 1.7 the Oklahoma courts as requiring the removal of a Ten Commandments monument from the grounds of the State C apitol. If this measure repealing Article 2, Section 5 is passed, the government would still be required to comply with the Establishment Clause of the United States Constitution, which is a similar constitution alprovision that prevents the government from endorsing a religion or becoming overly inv olved with religion.

FOR TI	HE PROPOSAL
YES	

AGAINST THE PROPOSAL - NO

STATE QUESTION NO. 792 LEGISLATIVE REFERENDUM NO. 370

This measure repeals Article 28 of the Oklahoma Constitution and restructures the laws governing alcoholic beverages through a new Article 28A and other laws the Legislature will create if the measure passes. The new Article 28A provides that with exceptions, a person or company can have an ownership interest in only one area of the alcoholic beverage business-manufacturing, wholesaling or retailing Some restrictions. wholesaling, or retailing. Some restrictions apply to the sales of manufacturers, brewers, days and hours when alcoholic beverages may be sold and may impose taxes on sales. Municipalities may levy an occupation tax. If authorized, a state lodge may sell individual alcoholic beverages for on-premises consumption but no other state involvement in the alcoholic beverage business is allowed.
With one exception, the measure will take effect October 1, 2018.

L FUR	THE PROPOSAL -
YES	

AGAINST THE	
PROPOSAL - N	O



CERTIFICATE OF VOTES FOR PRESIDENT AND VICE PRESIDENT

WE THE UNDERSIGNED, Electors of President and Vice President of the United States of America for the respective terms beginning on the twentieth day of January, A.D. 2017, being Electors duly and legally appointed and qualified by and for the Commonwealth of Pennsylvania, as appears by the annexed Certificate of Ascertainment made and delivered to us by the executive of said Commonwealth, having met, agreeably to the provisions of law, at Harrisburg, in said Commonwealth of Pennsylvania, on the first Monday after the second Wednesday in December in the year 2016, being the nineteenth day of said month:

DO HEREBY CERTIFY, that being so assembled and duly organized, we proceeded to vote by ballot, and balloted first for President and then for Vice President by distinct ballots.

AND WE DO FURTHER CERTIFY, that the following are two distinct lists, one, of all the votes for President; and the other of all the votes for Vice President, so cast as aforesaid.

LIST OF ALL PERSONS VOTED UPON FOR PRESIDENT

Name of person voted for

Number of votes

Donald J. Trump

20

LIST OF ALL PERSONS VOTED UPON FOR VICE PRESIDENT

Name of person voted for

Christine Torreti

Number of votes

Michael R. Pence

20

WITNESS our hands, on the first Monday after the second Wednesday of December, A.D. 2016, being the nineteenth day of said month, at the City of Harrisburg, in the Commonwealth of Pennsylvania.

Mary Barket Robert Bozzuto heodore Christian Margaret Ferraro wning Robert Gleason Christopher Gleason ames McErlane Elstina, Pickett Week 2 Patricia Poprik Andrew Reilly Richard Stewart Lawrence Tabas Gloria, Snow

Carolyn "Bunny"/Welsh.

Chester County Sheriff

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Upcoming Events:

A Night With the Superstars Tuesday, May 24, 2011 The Mendenhall Inn Route 52, Mendenhall PA 19357 6:00 - 9:00 PM >>> More

"This is about good government and accountability. The Sheriff answers to the people. This job exists because of the Constitution and I answer to the citizens who elected me." - Sheriff Bunny Welsh

Welcome

Dear Citizen,

Welcome to my website. It continues to be an honor and privilege to serve as the Sheriff of Chester County and lead the 82 men and women who serve with me in the Sheriff's Office. I am extremely proud of the deputies, security personnel and administrative staff with whom I work on a daily basis. They are dedicated professionals who provide loyal service to the county, the courts, and the citizens.

The Chester County Sheriff's Office is highly regarded and respected among other law enforcement agencies throughout the County and the Commonwealth. We have been recognized in Pennsylvania and throughout the nation for our programs and training.

The Citizens of Chester County have continuously supported my candidacy for Sheriff. You have given me your trust and confidence and elected me to the honorable and historic Office of the Sheriff I promised to manage the Office with professionalism and integrity. I pledged to be accountable, responsible, and commit myself full time to the prestigious position of Sheriff of Chester County. I have kept my promise and commitment.

I look forward to serving four more years as Sheriff of Chester County, and I would be honored to have your trust and support once again.

If you have any questions or care to discuss any other matters relating to the Office of the Sheriff or my candidacy, please feel free to contact me. My home phone number is 610-388-0240.

Very truly yours,

Carolyn Bunny Welsh

DONATE

VOLUNTEER

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STATE REPRESENTATIVE

Tina Pickett

Working for a Better Pennsylvania - 110th Legislative District

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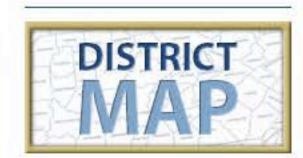
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Swearing In Ceremony for the 2017-18 Session of the PA House of Representatives

Start time: noon



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House of Representatives

Scholarship Applications

2017 PA FARM SHOW

FIGHTING



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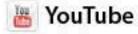
Zip Code(5-Digit):

Submit & Join

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The State of South Carolina



Office of Secretary of State Mark Hammond

2016 ELECTORAL COLLEGE CERTIFICATE OF VOTE

We, the undersigned, being duly elected Electors for President and Vice President of the United States, for the State of South Carolina, at the General Election held on Tuesday, November 8th, 2016, pursuant to the Constitution and laws of the United States and of this State, certify that the following candidates for President and Vice President received the following number of votes, by ballot, at the meeting of Electors held on Monday, December 19th, 2016, in Columbia, South Carolina.

FOR PRESIDENT OF THE UNITED STATES:	DONALD J. TRUMP NUMBER OF ELECTOR VOTES: MICHAEL R. PENCE NUMBER OF ELECTOR VOTES:
GLENN A. McCall (AT-LARGE) Donald Matthew Moore (AT-LARGE)	SHERY SMITH (5TH CONG. DIST.)
TERRY HARDISTY (1ST CONG. DIST.)	MOYE GRAHAM (6TH CONG. DIST.) JERRY HAL ROVNER (7TH CONG. DIST.)
Brenda M. Bedenbauch	ALTERNATE
WILLIAM E. CONLEY (4TH CONG. DIST.)	ALTERNATE

In Testimony whereof, I have hereunto set my hand and affixed the Great Seal of the State of South Carolina at the State Capitol in the City of Columbia, South Carolina, on this nineteenth day of December, 2016.

MARK HAMMOND, SECRETARY OF STATE



State of South Carolina Office of the Governor

NIKKI R. HALEY GOVERNOR

1205 PENDLETON STREET COLUMBIA 29201

CERTIFICATE OF ASCERTAINMENT

This is to certify the results of the Electoral College for the State of South Carolina following the General Election for Presidential and Vice-Presidential Electors held on November 8, 2016. As presented to me by the Secretary of State and the State Election Commission, the below candidates have received the following votes as certified by the Board of State Canvassers:

AMERICAN PARTY

Presidential Candidate:

Peter Skewes

Total Votes: 3,246

Vice-Presidential Candidate:

Michael Lacy

Total Votes: 3,246

ELECTORS: Pamela A. Baker; Henry Bodie III; J. C. Cook, III; Denzil Maurice; Diana Maurice; Donna J. McGreevey; Vicki Miesbauer; Alison P. Ryan; Teresa Skewes.

CONSTITUTION PARTY

Presidential Candidate: Vice-Presidential Candidate: Darrell Castle Scott Bradley Total Votes: 5,765 Total Votes: 5,765

ELECTORS: Frank E. Barron III; Michael Chandler; Dale A. Clinbeard; Thomas W. Kendall, Sr., M.D.; Robert Lampley; Freddie McEachern, Jr.; John H. Utz; K. Darrell Wallace; Kathleen Wright.

DEMOCRATIC PARTY

Presidential Candidate:

Hillary Clinton

Total Votes: 855,373

Vice-Presidential Candidate:

Tim Kaine

Total Votes: 855,373

ELECTORS: Katie B. Catalon; Donald L. Fowler; Debra H. Gudenas; Jamie R. Harrison; Kaye Lingle Koonce; Sarah F. Lisenby; Sheila L. McDaniel; Clay N. Middleton; Richard W. Riley.

INDEPENDENCE PARTY

Presidential Candidate: Vice-Presidential Candidate: Evan McMullin

Total Votes: 21,016

Nathan Johnson

Total Votes: 21,016

Certificate of Ascertainment Page 2 November 29, 2016

ELECTORS: Bruce M. Carroll, Jr.; Vivian Cooper; Elton Cooper; Delaney A. Curlee; Todd M. Ericsson; Janice K. Harper; David H. Janaro; Timothy J. Rogers; Darcy Vierow; Patricia A. York.

GREEN PARTY

Presidential Candidate: Jill Stein Total Votes: 13,034
Vice-Presidential Candidate: Ajamu Baraka Total Votes: 13,034

ELECTORS: Ernesto Acosta; Susan L. Edward; J. David Gillespie; Natalie Kaufman; Leslie Minerd; Mary Smith; Thom Taylor; Scott West; David Whiteman.

LIBERTARIAN PARTY

Presidential Candidate: Gary Johnson Total Votes: 49,204
Vice-Presidential Candidate: William Weld Total Votes: 49,204

ELECTORS: Michael Carmany; Jeffrey L. Dimit; Chuck Fields; Victor Kocher; Travis McCurry; Laird Minor; David Morris; Heath Patterson; William Jonathan Tisdale.

REPUBLICAN PARTY

Presidential Candidate: Donald J. Trump Total Votes: 1,155,389
Vice-Presidential Candidate: Michael R. Pence Total Votes: 1,155,389

ELECTORS: Brenda M. Bedenbaugh; William E. Conley; Moye Graham; Terry Hardesty; Glenn A. McCall; Donald Matthew Moore; Jerry Hal Rovner; Shery Smith; James S. Ulmer, Jr.

Witness, Her Excellency Our Governor, Nikki R. Haley, And Our Seal Hereto Affixed In Columbia, South Carolina This Twenty Ninth Day Of November In The Year Of Our Lord, Two Thousand Sixteen.

GIVEN UNDER MY HAND AND THE GREAT SEAL OF THE STATE OF SOUTH CAROLINA THIS 29TH DAY OF NOVEMBER, 2016.

NIKKI R. HALEY

Governor

MARK HAMMOND Secretary of State





ABOUT

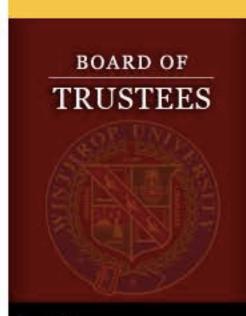
ADMISSIONS & AID

ACADEMICS

STUDENT LIFE

ATHLETICS

GIVING





Agendas

Bylaws

Committees

Meeting Dates

Minutes

Resolutions

Resource Links

Contact Us

Board of Trustees

Officers

Mr. Karl Folkens, Chair Mr. Glenn McCall, Vice-Chair

Members

Ms. Kathy Bigham

Mr. Shane Duncan

Dr. Julie Fowler Ms. Donna Glenn Holley

Mr. Timothy Hopkins

Dr. Randy Imler

Dr. Jane LaRoche

Mr. Donald Long Mr. Scott Middleton

Mr. Tim Sease

Ms. Janet Smalley

Dr. Cus Cmith Day

The Winthrop University Board of Trustees has general supervision over and is vested with the conduct of the university. It has responsibility for the mission and long-term benefit of the university. Fifteen members comprise the board, including the Governor of South Carolina and the State Superintendent of Education (or designees) who serve in an ex officio capacity. The 13 other members are either elected by joint ballot of the state Senate and House of Representatives, appointed by the governor, or elected by the alumni association. The Chair of the Faculty Conference and the Chair of the Council of Student Leaders also serve as non-voting members.

To contact members of the Winthrop University Board of Trustees, email trustees@winthrop.edu.

CONTACT INFORMATION

Board of Trustees 114 Tillman Hall Rock Hill, SC 29733, USA 803/323-2225 803/323-3001 (fax) trustees@winthrop.edu



Voter Information

Voter Information for Brenda M Bedenbaugh Certificate Number: 411339917

SCVotes.org Help

 Date of Birth:
 1/23/1940
 Gender:
 Female
 Race:
 White

 Residential Address:
 3021 Prosperity Hwy Leesville, SC 29070
 County:
 SALUDA

Voting Precinct: Pleasant Grove Active Registered Voters: 686

Precinct Location: Community Center Precinct Address: 3133 Prosperity Hwy Hwy 391 Leesville, SC 29070

Get driving directions to the Precinct*

*Driving directions are based on Google Maps; the South Carolina State Election Commission cannot guarantee the accuracy of the search results.

Voting Districts

Misc1 District 006

US Congressional District 03 SC Senate District 25 SC House District 039

County Council 04 School District 01 Magistrate Jury Area 411

If the above information is incorrect, please contact: Saluda County Board of Voter Registration & Elections

Saluda County Board of Voter Registration & Election
111 Law Range St
Saluda, SC 29138

Phone Number: (864)445-4500 x2200 Email: d.burden@saludacounty.sc.gov



WITHROP PROPERTY OF THE PROPER

CONTACT INFORMATION
Board of Trustees
114 Tillman Hall
Rock Hill, SC 29733, USA
803/323-2225
803/323-3001 (fax)
trustees@winthrop.edu

Board of Trustees

Officers

Mr. Karl Folkens, Chair Mr. Glenn McCall, Vice-Chair

Members

Ms. Kathy Bigham
Mr. Shane Duncan
Dr. Julie Fowler
Ms. Donna Glenn Holley
Mr. Timothy Hopkins
Dr. Randy Imler
Dr. Jane LaRoche
Mr. Donald Long
Mr. Scott Middleton
Mr. Tim Sease
Ms. Janet Smalley
Dr. Sue Smith-Rex
Ms. Ashlye Wilkerson

Faculty Representative

Dr. John Bird

Student Representative

Ms. Elizabeth West



Ms. Kathy Bigham
Elected by the General Assembly
Congressional District 5
Term Expires: 2018
1528 Blanchard Bend
Rock Hill, SC 29732
803/366-3542

Board of Trustees

The Winthrop University Board of Trustees has general supervision over and is vested with the conduct of the university. It has responsibility for the mission and long-term benefit of the university. Fifteen members comprise the board, including the Governor of South Carolina and the State Superintendent of Education (or designees) who serve in an ex officio capacity. The 13 other members are either elected by joint ballot of the state Senate and House of Representatives, appointed by the governor, or elected by the alumni association. The Chair of the Faculty Conference and the Chair of the Council of Student Leaders also serve as non-voting members.

To contact members of the Winthrop University Board of Trustees, email trustees@winthrop.edu.



Mr. Shane Duncan
Elected by the General Assembly
Congressional District 4
Term Expires: 2022
511 Rhett Streed
Greenville, SC 29601
864/230-5051



Mr. Karl A. Folkens
Elected by the General Assembly
Congressional District 7
Term Expires: 2018
Folkens Law Firm, P.A.
601 W. Evans Street
Florence, SC 29501
843/665-0100



Dr. Julie Fowler
Seat 11
Designated by Superintendent of Education,
Ms. Molly Spearman
Term Expires: Coterminous with the Superintendent of Education
1429 Senate Street
Columbia, SC 29201
803/737-3150



Ms. Donna Glenn Holley Elected by the General Assembly Congressional District 2 Term Expires: 2020 27 Polo Ridge Circle Columbia, SC 29223 803/788-4159



Mr. Timothy L. Hopkins
Designee for Governor Nikki Haley
Term Expires: Coterminous with Governor
401 Longtown Road
Lugoff, SC 29078
803/438-7872

Dr. Randy Imler Elected by the General Assembly



At-large Seat 9 Term Expires: 2020 Catawba Regional COG PO Box 450 Rock Hill, SC 29731 803/327-9041



Dr. Jane LaRocheElected by the Alumni Association
At-large Seat 13
Term Expires: 2022
3 Kirkwood Street
Camden, SC 29020
803/432-0017



Mr. Donald G. Long
Appointee for Governor Nikki Haley
Term Expires: Coterminous with Governor
14 Sunrise Point Court
Lake Wylie, SC 29710
803/831-2455



Mr. Glenn McCall
Elected by the General Assembly
At-large Seat 10
Term Expires: 2021
5652 Norwood Ridge Drive
Rock Hill, SC 29732
704/907-3319



Mr. Scott Middleton Elected by the Alumni Association At-large Seat 12 Term Expires: 2018 Agapé Senior Management Services 1624 Main Street Columbia, SC 29201 803/451-6133



Mr. Tim Sease Elected by the General Assembly Congressional District 1 Term Expires: 2018 485 Brook Haven Court Mt. Pleasant, SC 29464 843/529-5924



Ms. Janet Smalley
Elected by the General Assembly
Congressional District 3
Term Expires: 2022
202 E. Mauldin Street
Walhalla, SC 29691
864/638-6839



Dr. Sue Smith-RexElected by the General Assembly
At-large Seat 8
Term Expires: 2017
1445 Woodside Drive
Winnsboro, SC 29180
803/482-7145



Ms. Ashlye Wilkerson Elected by the General Assembly Congressional District 6 Term Expires: 2020 Post Office Box 3301 Columbia, SC 29230-3301 803/361-1161



Dr. John BirdFaculty Representative
Chair, Faculty Conference
260 Bancroft Hall
Winthrop University
Rock Hill, SC 29733
803/323-3679

Ms. Elizabeth West Student Representative Chair, Council of Student Leaders

202 DiGiorgio Center Winthrop University



Rock Hill, SC 29733 803/323-4509

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© Winthrop University 803/323-2211
701 Oakland Avenue Rock Hill, SC 29733, USA

12/30/2016 Voter Information



Voter Information

Voter Information for James S Ulmer Jr. Certificate Number: 381914476

SCVotes.org Help

Date of Birth: 8/7/1962 Gender: Male Race: White

Residential Address: 464 Pinegrove Rd North, SC 29112 County: ORANGEBURG

Voting Precinct: North 2 Active Registered Voters: 1203

Precinct Location: Aiken Electric Co-op Precinct Address: 8381 North Rd North, SC 29112

Get driving directions to the Precinct*

*Driving directions are based on Google Maps; the South Carolina State Election Commission cannot guarantee the accuracy of the search results.

Voting Districts

US Congressional District 02 SC Senate District 40 SC House District 093

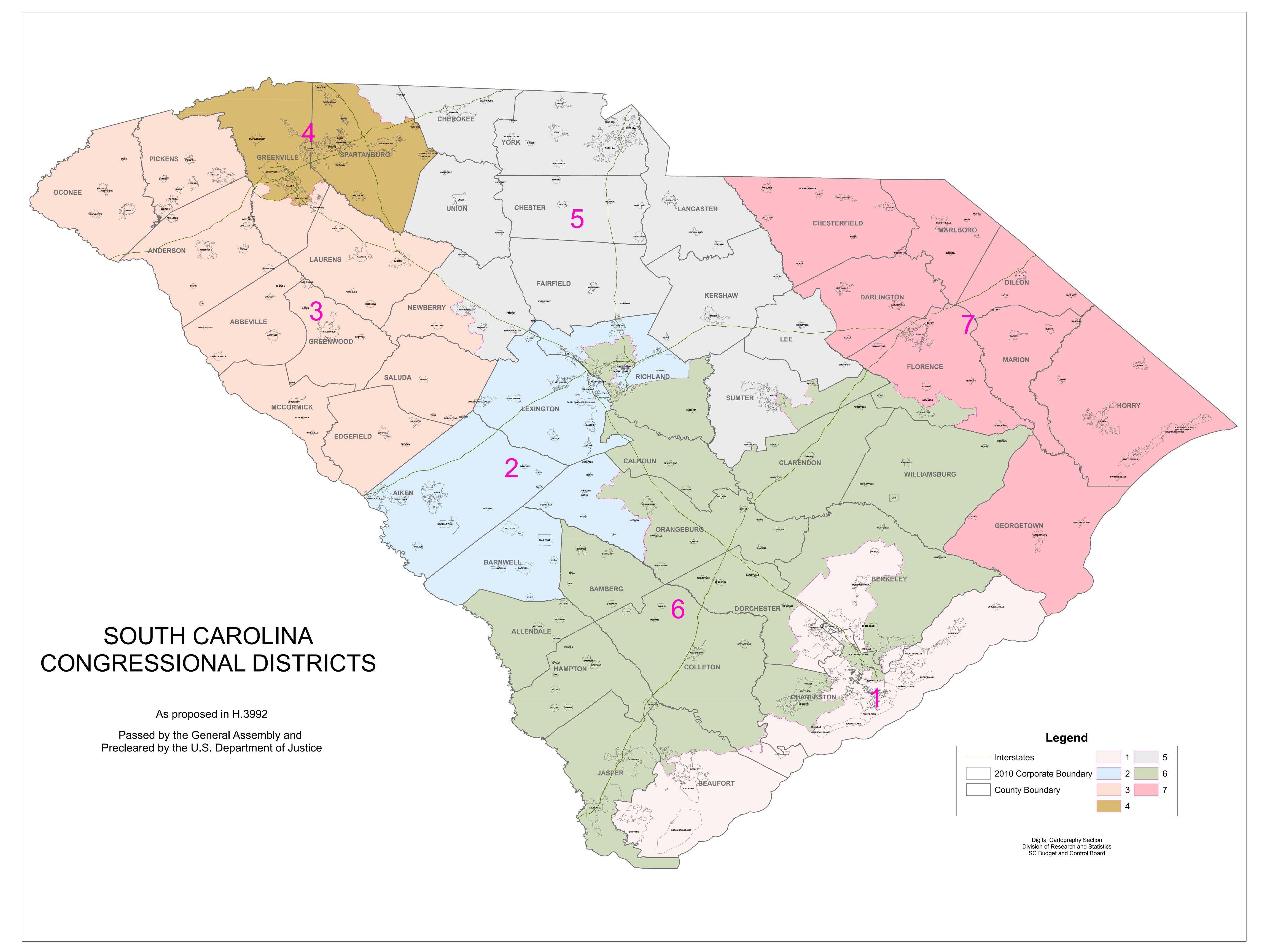
County Council 04 School District 51 Magistrate Jury Area 381

If the above information is incorrect, please contact:

Orangeburg County Board of Voter Registration & Elections

1437 Amelia St Orangeburg, SC 29115 Phone Number: (803)533-6210 Email: asmalls@orangeburgcounty.org

Back



State of South Carolina Office of the Secretary of State The Honorable Mark Hammond

1205 PENDLETON STREET, SUITE 525 COLUMBIA, SC 29201

803-734-2170 www.sos.sc.gov



MEETING OF THE ELECTORAL COLLEGE

Monday, December 19, 2016 at 11:00 AM
Room 101, Solomon Blatt Building
State Capitol Complex
Columbia, South Carolina
Live video to be available on SCETV

<u>AGENDA</u>

- I. Call to Order
- II. Election of Electoral College Officers
- III. Election of President and Vice President of the United States
- IV. Certification of the Vote
- V. Adjournment

ELECTORAL COLLEGE

The Electoral College was established by the founding fathers as a compromise between election of the president by Congress and election by popular vote. The electors are a popularly elected body chosen by the States and the District of Columbia on the Tuesday after the first Monday in November (November 8, 2016). The Electoral College consists of 538 electors, one for each of 435 members of the House of Representatives and 100 Senators; and 3 for the District of Columbia by virtue of the 23rd Amendment. Each State's allotment of electors is equal to the number of House members to which it is entitled plus two Senators. The decennial census is used to reapportion the number of electors allocated among the States, thus South Carolina having nine votes.

The slates of electors are generally chosen by the political parties. The Office of the Governor prepares a list of the slate of electors for the candidate who receives the most popular votes on a Certificate of Ascertainment. The Certificates of Ascertainment must be submitted as soon as practicable after the first Monday after the second Wednesday in December (December 19, 2016), the day electors nationwide will vote.

A majority of 270 electoral votes is required to elect the President and Vice President.

If no presidential candidate wins a majority of electoral votes, the 12th Amendment to the Constitution provides for the presidential election to be decided by the House of Representatives. The House would select the President by majority vote, choosing from the three candidates who received the greatest number of electoral votes. The vote would be taken by State, with each State delegation having one vote.



Office of the Secretary of State of South Carolina

1205 Pendleton Street Suite 525 Columbia, SC 29201

Phone: 803-734-2170 Fax: 803-734-1661 Website: www.sos.sc.gov

THE MEETING OF THE 2016

ELECTORAL COLLEGE

The people's government, made for the people, made by the people, and answerable to the people."

Daniel Webster, American statesman, lawyer, and orator; January 26, 1830



MONDAY, DECEMBER 19, 2016 11:00 A.M.

ORDER OF EVENTS

The Honorable Mark Hammond. Call to Order and Welcome

Secretary of State

The Honorable Mark Hammond **Introduction of Special Guests**

The Reverend Dr. Paul Petersen, Invocation

Westminster Presbyterian Church of

Spartanburg, SC

South Carolina Highway Patrol Honor Post the Colors

Guard

Georgia Loadholt of River Bluff High Pledge of Allegiance

School and Will Galloway of Blythewood

High School

"The Star-Spanaled Banner" Lyndsay Gray of Pelion High School

History and Importance of the Electoral

College

The Honorable Mark Hammond

Introduction of the Members of the

Electoral College

The Honorable Mark Hammond

Election of Electoral College

Officers

The Electoral College

Election of Vice President and

President of the United States

The Electoral College

Signing of the Certificates of Vote The Electoral College

"America the Beautiful" Mason Roberts of Pelion High School

"God Bless America" Emma Gould of Pelion High School

Certification of the Certificates of Vote The Honorable Mark Hammond

Closing Remarks by the

President of the Electoral College and

Members

The Electoral College

Closing Remarks and Thanks The Honorable Mark Hammond

Benediction Chaplain Charles Seastrunk, Jr.,

Chaplain of the South Carolina House of

Representatives

Retire the Colors South Carolina Highway Patrol Honor

Guard

The Honorable Mark Hammond Adjournment

ELECTORS

Donald Matthew Moore At-large

Glenn McCall At-large

Terry Hardesty 1st Congressional District

Jim S. Ulmer, Jr. 2nd Congressional District

Brenda M. Bedenbaugh 3rd Congressional District

William E. Conley 4th Congressional District

Shery Smith 5th Congressional District

Moye Graham 6th Congressional District

Jerry Hal Rovner 7th Congressional District

SPECIAL THANKS

Special thanks to South Carolina Educational Television for providing video coverage, and to Legislative Services Agency for offering the live streaming of today's event. SCETV will make the 2016 Electoral College video available on their webpage at www.scetv.org. The video will also be available on the website of the South Carolina Legislature at www.scstatehouse.gov

Many thanks to Lyndsay Gray, Mason Roberts, and Emma Gould, under the direction of David Stephenson, Ph.D., Choral Director and Fine Arts Department Head of Pelion High School, for sharing their musical talents with us today.

The South Carolina Highway Patrol Honor Guard currently has 20 troopers serving as Honor Guard members. The prestigious Honor Guard Detail brings dignity to occasions such as funerals, parades, dedications, and opening ceremonies of various entities. The Honor Guard has established a tradition at the funerals of fallen troopers as well as other law enforcement officers from around the state who have requested the detail's assistance.

South Carolina Legislature

Committee Postings and Reports

Legislative Council

Citizens' Interest

Publications

육 Staff Portal

South Carolina Code of Laws > Search

se

New Search: winthrop

Q

(Use of stop words in a search will not produce desired results.) (For help with formatting search criteria, click here.)

Select Search Category:

Disclaimer

CODEOFLAWS

Back to Results winthrop found 83 times.

Code of Laws

TITLE 59. EDUCATION

CHAPTER 125. Winthrop University

ARTICLE 1. General Provisions

SECTION 59-125-10. Establishment of Swinthrop College.

There shall be established an institution of higher education which shall be known as Winthrop College and shall be located, equipped and conducted as herein provided.

HISTORY: 1962 Code § 22-401; 1952 Code § 22-401; 1942 Code § 5785; 1932 Code § 5785; Civ. C. '22 § 2804; Civ. C. '12 § 1870; Civ. C. '02 § 1284; 1891 (20) 1102; 1920 (31) 968; 1972 (57) 2493; 1974 (58) 2074.

SECTION 59-125-15. Winthrop College changed to Winthrop University.

Swinthrop College is changed to Winthrop University, effective July 1, 1992, and wherever in the 1976 Code or in any other provision of law the name \(\frac{\text{Winthrop}}{\text{Normal}}\) College appears, it must be construed to mean \(\frac{\text{Winthrop}}{\text{Normal}}\) University.

HISTORY: 1992 Act No. 272, § 4.

SECTION 59-125-20. Composition of board of trustees.

- (A) The Board of Trustees of Winthrop University is composed of the Governor and the State Superintendent of Education or their designees who are members ex officio of the board, ten other members each to be elected by the joint vote of the General Assembly, as hereinafter provided, and two graduates of Winthrop University to be appointed by the Winthrop University Alumni Association or its successors, as hereinafter provided.
- (B) In addition to the members of the board in subsection (A), there shall be one additional member of the board appointed by the Governor. The Governor shall make the appointment based on merit regardless of race, color, creed, or gender and shall strive to assure that the membership of the board is representative of all citizens of the State of South Carolina.

HISTORY: 1962 Code § 22-402; 1952 Code § 22-402; 1942 Code § 5786; 1932 Code § 5786; Civ. C. '22 § 2805; Civ. C. '12 § 1871; Civ. C. '02 § 1285; 1891 (20) 1102; 1920 (31) 968; 1942 (42) 1666; 1974 (58) 2074; 1983 Act No. 130, § 12; 1991 Act No. 248, § 6; 1993 Act No. 59, § 1; 2007 Act No. 50, § 1, eff June 5, 2007; 2012 Act No. 176, § 9, eff May 25, 2012.

SECTION 59-125-30. Election of board members; terms; vacancies.

Of the ten members to be elected by the General Assembly, one member must be elected from each of the congressional districts and three members must be elected by the General Assembly from the State at large. Each representative of a congressional district must be a resident of the congressional district represented. The regular term of office of the elective members of the board of trustees is six years. In electing members of the board, the General Assembly shall elect members based on merit regardless of

Party Organizations 2016

("The State Convention shall meet at a location in this State determined by the State Committee to have adequate facilities during the thirteen-month period ending May fifteenth of every general election year on a day and at a time fixed by the State Committee and announced publicly at least ten days before the meeting." Section 7-9-100, 1976 Code.)

South Carolina

State Democratic Executive Committee State Headquarters

915 Lady St., Suite 111, Columbia 29201 Tels. (803) 799-7798 or 1-800-841-1817

1013. (000	1els. (803) 199-1198 or 1-800-841-1811	
<i>Chm.</i>	Jaime Harrison	
	915 Lady St., Suite 111, Columbia 29201	
1st VC		
	915 Lady St., Suite 111, Columbia 29201	
2nd VC	Melissa Watson	
	915 Lady St., Suite 111, Columbia 29201	
3rd VC	Lauren Bilton	
	915 Lady St., Suite 111, Columbia 29201	
Secy	Sh'Kur Francis	
	186 Snow Lane, Lexington 29073	
<i>Treas.</i>		
	Transfer of the contract of th	
	915 Lady St., Suite 111, Columbia 29201	
DNC Mem		
DNC Mem	$915\mathrm{Lady}$ St., Suite 111, Columbia 29201	
	915 Lady St., Suite 111, Columbia 29201 Boyd Brown	
	915 Lady St., Suite 111, Columbia 29201 Boyd Brown 915 Lady St., Suite 111, Columbia 29201	
DNC Mem	915 Lady St., Suite 111, Columbia 29201 Boyd Brown 915 Lady St., Suite 111, Columbia 29201 Gilda Cobb-Hunter	
DNC Mem	915 Lady St., Suite 111, Columbia 29201Boyd Brown 915 Lady St., Suite 111, Columbia 29201Gilda Cobb-Hunter 4188 Five Chop Rd., Orangeburg 29115	
DNC Mem Dem. Women's Co	915 Lady St., Suite 111, Columbia 29201	
DNC Mem Dem. Women's Co	915 Lady St., Suite 111, Columbia 29201	

State Executive Committee

For information on the Democratic Party State Executive Committee members, please visit www.scdp.org.

South Carolina

South Caronna
State Republican Executive Committee
Mailing Address: P.O. Box 12373, Columbia 29211
Physical Address: 1913 Marion St., Columbia 29201
Tel. (803) 988-8440, Fax (803) 988-8444
<i>Chm.</i>
1913 Marion St., Columbia 29201
1st VC Lin Bennett
231 N. Ainsdale Dr., Charleston 29414
2nd VC
P.O. Box 2821, Greenville 29602
$\it 3rd\ VC \ldots$
256 Shirley Lane, Clinton 29325
Natl. Committeeman
5652 Northwood Ridge Dr., Rock Hill 29732
Natl. Committeewoman
909 Parrot Creek Way, Charleston 29407
<i>Treas.</i> Sharon Thomson
1913 Marion St., Columbia 29201
Secys
1121 High Valley Trail, Blythewood 29016
Nikki Trawick, 1030 Water Hickory Way, Columbia 29229
Parliamentarian
1309 Old Cherokee Rd., Lexington 29072
S.C. Fed. of Rep. Women Kim Wellman
112 Kenzi Court, Lexington 29072
Exec. Dir
1913 Marion St., Columbia 29201
Political Dir
1913 Marion St., Columbia 29201
State Executive Committeemen
C

Double 11	State Executive Committee emen		
County	Name	Post Office	
Abbeville	.Janice McCord	Abbeville	
Aiken	.Mike Vasovski	Aiken	
Allendale	.Ron Lanter	Allendale	
Anderson	.Susan Aiken	Anderson	
Bamberg	.Kay Maxwell	Bamberg	
Barnwell	.Tom Ramsey	\dots Barnwell	

Beaufort	Jim Dickson Beaufort
Berkeley	Terry Hardesty Moncks Corner
Calhoun	Larry JordanSt. Matthews
Charleston	Jonathan Hoffman Charleston
Cherokee	Brenda Neal Blacksburg
	Drew JohnsonChester
ChesterfieldI	Doug Rorie
Clarendon	Cindy Risher Summerton
Colleton	Mary Anne Cannady Walterboro
Darlington	Michael Luppe
Dillon	Joe MoffettDillon
Dorchester	Wiley Johnson Summerville
Edgefield	Hunter Pendarvis Edgefield
Fairfield	Bob CarrisonWinnsboro
Florence	Glenn Baum Florence
GeorgetownJ	Jerry Rovner Pawleys Island
Greenville	Suzette Jordan
Greenwood	JoAnn Burroughs Ninety Six
Hampton	Gail BurrisVarnville
Horry	vacant
JasperI	Richard ArzilloRidgeland
Kershaw	Shelby Price Lugoff
Lancaster	Sandy McGarryLancaster
Laurens	Chad PattersonGray Court
Lee	Sam Cerezo
LexingtonI	Duane Naquin West Columbia
Marion	John RichardsonMarion
Marlboro	Al ClarkeMcColl
McCormick	Dick Obermeyer McCormick
Newberry	Vic Terrana Newberry
OconeeI	Phil SoperWest Union
Orangeburg	Roy Lindsey Neeses
Pickens	Sylvia BassEasley
Richland	Tyson Grinstead Columbia
SaludaI	Brenda Bedenbaugh Leesville
	Case Chumley Woodruff

	_
Sumter Luke Hall Sumter Union Freddie Gault Union Williamsburg Barbara Mishoe Greeleyvill York David Duncan Yor	n le
South Carolina Labor Party	
265 Oak Grove Rd., Swansea 29160	
Tel. (803) 926-8680	
<i>Co-Chm.</i>	++
265 Oak Grove Rd., Swansea 2910	
Tel. (803) 926-868	
Co-Chm	
265 Oak Grove Rd., Swansea 2916	•
Tel. (803) 926-868	
Treas	
265 Oak Grove Rd., Swansea 2916	
Tel. (803) 926-868	
South Carolina Libertarian Party	
P.O. Box 291383, Columbia 29229 Tel. (803) 788-2226	
Chm	T 7
119 Smith Cir., Anderson 2962	•
mike@parrotdiseofsc.co	
Tel. (864) 287-40	
VC Stewart Floo	
1643B Savannah Hwy., Suite 333, Charleston 2940	
sff@ivo.n	
Tel. (843) 224-908	58
Secy	
119 Smith Cir., Anderson 2962	25
mike@parrotdiseofsc.co	
Tel. (864) 287-403	30
TreasJeffrey L. Dim	it
213 Vine St., Goose Creek 2948	92
jldimit@aol.co	m

Tel. (803) 776-2372

Political Party Organizations 6.	15
State Executive Committee Members	
County Name Post Offi	ice
AndersonMichael R. CarmanyAnders	son
BerkeleyJeffrey L. DimitGoose Cre	
Charleston	
Greenville Laird Minor Simpsonvi	ille
Lexington Dean T. Smith	
RichlandVictor KocherColuml	
York	
South Carolina Green Party P.O. Box 5341, Columbia 29250	
scgreenpartyinfo@earthlink.net	
State Steering Committee Members	
Co-Chm	
20 Wespanee Dr., Charleston 294	
Tel. (843) 763-78	
Co-ChmScott W	
2716 Blossom St., Columbia 292	
Secu. David Gilles	
6023 Grand Council St., Charleston 294	
Treas	
200 Harden St., Columbia 292	
Tel. (803) 799-12	
Rolf Baghdady	
Tel. (803) 345-01	
Bill Kreml111 Southwood Dr., Columbia 292	
Tel. (803) 799-72	
Thom Taylor 9158 Markleys Grove Blvd., Summerville 294	185
Tel. (843) 820-79	
United Citizen Party	
Chm	
1925 Smith St., Columbia 292	209
FI 1 (000) FE 2 0	070

<i>VC</i>	Erica	
	310 Ross Rd., Apt. 9C, Columbia	a 29223
	carterericam@yaho	
	Tel. (803) 38	51-2227
Treas	Christopher N	Velums
	13 N. Highland Forest Dr., Columbia	
	chrisnelums@yah	oo.com
	Tel. (803) 69	91-8223
Dir. of Commun	ications/Secy	
•	1514 Hardscrabble Rd., Columbia	a 29203
	alvanshed@yah	
	Tel. (803) 60	65-4511
Refo	rm Party of South Carolina	
		r 29650
	Tel. (864) 8'	
Secu/Treas	Sarah S	
	907 Kalmia St., Florence	0
	Tel. (843) 667-5026 or (864) 58	
D.C	Constitution Party Box 1757, Taylors 29687	
	364) 292-5001, (864) 905-6052	
	Ted.	Adams
C	P.O. Box 1757, Taylor	
	Tel. (864) 29	
VC		
	440 Blackville Rd., Gastor	
Secu	Darrell V	
-	2 Greenway Court, Taylor	
	Tel. (864) 20	
Treas		
	203 Park Grove Dr., Mauldin	0
	Tel. (864) 28	
State E	xecutive Committee Members	
County		Office
	Keith ToddAb	beville
Aiken	Dr. Claud Boyd N. A	ugusta

AndersonPastor Tony RomoGreenville

South Carolina Political Party Organizations

01	

Dorchester Mike Bro	own Summerville
Fairfield James G	reen
GreenvilleJohn Lar	ngville
Horry Kenneth	R. CarterLoris
KershawThomas	WebbCamden
Laurens Perry Sin	mpson Cross Hill
LexingtonMichael	ReedGaston
OconeeKathleer	n Labbe Westminster
Orangeburg Allan Ru	ıshNorth
SpartanburgKathy W	right Spartanburg
York	Carter





DO YOU KNOW SHERY?

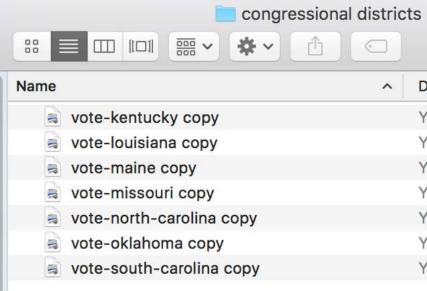
To see what she shares with friends, send her a friend request.



- 1st Vice Chairman at 5th District GOP of South Carolina
- Administrative Supervisor at Northwoods Senior Living
- Member of Executive Committee at South Carolina Republican Party
- Chair at Sumter County Republican Party
- Studied at Furman University
- Studied at USC Sumter
- Went to Lugoff-Elgin High School
- Lives in Sumter, South Carolina
- Married to Randy Smith
- From Sumter, South Carolina









Voter Information

Voter Information for Terry A Hardesty Certificate Number: 084547686

SCVotes.org
Help

Date of Birth: 11/27/1949	Gender: Male	Race: White
Residential Address: 325 W Main St Moncks Corner, SC 29461		County: BERKELEY
Voting Precinct: Moncks Corner 2		Active Registered Voters: 1588
Precinct Location: Berkeley High School	Precinct Address: 406 W Main St Moncks C	Corner. SC 29461

Get driving directions to the Precinct*

*Driving directions are based on Google Maps; the South Carolina State Election Commission cannot guarantee the accuracy of the search results.

Voting Districts

US Congressional District 01	SC Senate District 37	SC House District 102
County Council 08	School District 08	Municipality 111
Magistrate Jury Area 084		

If the above information is incorrect, please contact:

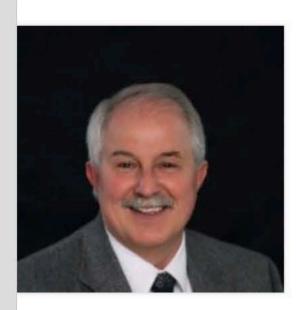
Berkeley County Board of Voter Registration & Elections

PO Box 6122

Moncks Corner, SC 29461

Phone Number: (843)719-4056

Email: ahammons@berkeleycountysc.gov



Terry Hardesty

Insurance Agent Representing Physicians Mutual

Charleston, South Carolina Area Real Estate

Previous Berkeley County Republican Party, SC

GOP, Bray Controls

Education Midlands Technical College

Recommendations 1 person has recommended Terry

View Terry's full profile. It's free!

Your colleagues, classmates, and 400 million other professionals are on LinkedIn.

View Terry's Full Profile

Experience

Chairman

Berkeley County Republican Party

February 2013 - June 2014 (1 year 5 months)

Berkeley County Executive Committeeman

SC GOP

July 2010 - February 2013 (2 years 8 months)

Sales Engineer

Bray Controls

January 2011 – February 2012 (1 year 2 months)

Bray

connections

Design, Manufacture and Service of Butterfly Valves, Actuators, and Control Equipment

Board Member

Berkeley County School District

November 2006 - November 2010 (4 years 1 month)

Elected November 2006, 4 year term.

Associate

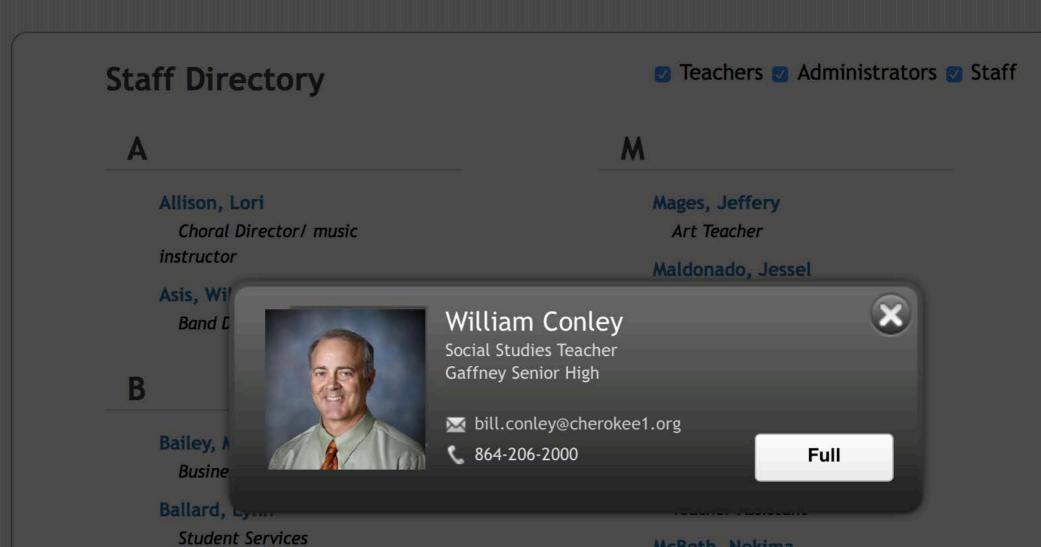
AFLAC

September 2009 - September 2010 (1 year 1 month)

An independent associate representing AFLAC.

Afrac.

Gaffney Senior High Directory







Bill Conley

@scbconley

Teacher at Gaffney High School, Chairman-Spartanburg Republican Party, Board of Directors Spartanburg Tea Party, Chairman of Deacons - Chesnee FBC

STATE OF SOUTH DAKOTA

CERTIFICATE OF VOTE

We, the undersigned, Electors of President and Vice President of the United States of America for the respective terms of President and Vice President, beginning on the Twentieth Day of January, in the year of Our Lord, Two Thousand and Seventeen, being Electors duly and legally elected and qualified in and for the State of South Dakota, as appears by the annexed Certificate of Ascertainment of Election made certified, and delivered to us by the Governor of said State and having the signature of the Governor of said State, affixed thereto, having met and convened at the Capitol, in the city of Pierre, in the state of South Dakota, in pursuance of the Statutes of the state of South Dakota and of the United States on the first Monday after the second Wednesday in December, being the Nineteenth day of December in the year of Our Lord, Two Thousand and Sixteen, do hereby certify that being so assembled and duly organized, we proceeded to vote by ballot, and balloted first for such President and then for such Vice President, by distinct ballots.

AND WE FURTHER CERTIFY, That the following are two distinct lists, one of the votes for President and the other of the votes for Vice President, so given aforesaid.

LIST OF ALL PERSONS VOTE FOR AS PRESIDENT	NUMBER OF VOTES FOR EACH
Donald J. Trump	3
LIST OF ALL PERSONS VOTE FOR AS VICE PRESIDENT	NUMBER OF VOTES FOR EACH
Michael R. Pence	3

IN TESTIMONY WHEREOF, We have hereunto set our hands and caused the Great Seal of the State of South Dakota to be affixed at Pierre, the Capital of said State, this Nineteenth Day of December, in the year of Our Lord, Two Thousand and Sixteen.



Dennis Daugaard, Elector

Pamela S. Roberts, Elector

Marty Jackley, Elector

Attest:

Shantel Krebs, Secretary of State

CERTIFICATE OF REPLACEMENT OF ELECTOR FAILING TO APPEAR

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The Electors present on this day, Monday, December 19, 2016, at the city of Pierre, the Capital of South Dakota, here do certify that **Pamela S. Roberts**, of Pierre, will replace Matt Michels as an Elector for the State of South Dakota per State Codified Law 12-24-2.



Attest:

Shantel Krebs

South Dakota Secretary of State

Dennis Daugaard

Elector

Marty Jackley

Elector

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Marty J. Jackley's Biography

Attorney General of South Dakota

Appointed: 2009, Elected: 2010 and 2014

On September 4, 2009, Marty J. Jackley was sworn in as the 30th Attorney General for South Dakota. He serves as the chief law enforcement officer and legal advisor for the State.

Marty was raised in Sturgis and graduated from the South Dakota School of Mines and Technology in 1992 with his Bachelor of Science degree in Electrical Engineering with Honors. He received his law degree from the University of South Dakota School of Law in 1995.

From 1995-97, Marty served as a law clerk for former Chief Judge Richard H. Battey in federal district court. He then joined and became a partner in the Rapid City law firm of Gunderson, Palmer, Nelson, and Ashmore. His practice areas focused on criminal law, civil and business litigation, construction/engineering law and real property disputes. At that time, he also served as a Special Assistant Attorney General for South Dakota prosecuting controlled substance felonies.

In 2006, Marty was appointed and unanimously confirmed by the US Senate as US Attorney for South Dakota. During his tenure as US Attorney, the office aggressively prosecuted violent crime and drug trafficking, and strengthened public safety through crime prevention efforts and joint task forces. Marty was named the South Dakota Prosecutor of the Year in 2008 from the South Dakota State's Attorneys Association.

As Attorney General, Marty has a proven record of leading an office that protects families and is committed to crime prevention. South Dakota's Internet Crimes Against Children Task Force proactively protects children from sexual



SD Board of Regents 306 East Capitol Ave Suite 200 Pierre, SD 57501 605 773 3455 info@sdbor.edu







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SDBOR Home > The Board > Members and Bios > Pam Roberts



Pam Roberts

Pam Roberts holds a bachelor's degree in commercial economics from South Dakota State University. She retired in 2013 after a career in senior leadership roles, including Secretary of Labor, Commissioner of Personnel, and Chief of Operations, in the administrations of governors Janklow, Mickelson, Miller, Rounds and Daugaard.

Roberts and her husband, Clay, operate their family's ranch in Stanley and Lyman counties. She is currently in the final year of a two-year term as chair of the South Dakota Republican Party.

Pam Roberts

Location: Pierre (Hughes County)

Appointed: April 2016

Appointed by: Dennis Daugaard

Term expires: 2022





















State of Tennessee

CERTIFICATE OF VOTE

LIST OF ALL PERSONS VOTED FOR AS PRESIDENT, WITH THE NUMBER OF VOTES FOR EACH

NAME OF PERSON VOTED FOR

Donald J. Trump

NUMBER OF VOTES

Eleven

We, the undersigned, being duly elected Electors for President and Vice-President of the United States of America for the State of Tennessee at the General Election held on Tuesday, November 8, 2016, pursuant to the Constitution and the laws of the United States and of this State, certify that the following candidates for President and Vice-President received the following number of votes, by ballot, at the meeting of electors held Monday, December 19, 2016 at the Tennessee State Capitol.

LIST OF ALL PERSONS VOTED FOR AS VICE-PRESIDENT, WITH THE NUMBER OF VOTES FOR EACH

NAME OF PERSON VOTED FOR

Michael R. Pence

NUMBER OF VOTES

Eleven

PATRICIA ALLEN

LIZHOLIWAY



In Testimony whereof, I have hereunto set my hand and affixed the Great Seal of the State of Tennessee at the State Capitol in the City of Nashville, Tennessee, on this nineteenth day of December, 2016.

Shannon Haynes

Homen W. Jawler

BILL HASLAM, GOVERNOR

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Tennessee Presidential Electors Unanimously Vote for Donald Trump

TUESDAY, DECEMBER 20, 2016



(http://sos-tn-gov-files.s3.amazonaws.com/Mike-Callahan.png)

Tennessee's presidential electors met at the State Capitol Monday to cast their ballots for president of the United States. The Volunteer State has 11 of the total 538 electoral votes that make up the U.S. Electoral College.

The Tennessee Republican Party selected the following people to serve as 2016 presidential electors after 1,522,925 Tennesseans voted for Donald J. Trump and 870,695 voted for Hillary Clinton during the Nov. 8, 2016, general election:

At Large – Joey Jacobs

At Large – Beth Scott Clayton Amos

1st Congressional District – Jason Mumpower

2nd Congressional District - Susan Mills

3rd Congressional District – Liz Holiway

4th Congressional District – Lynne Davis

5th Congressional District – Tom Lawless

6th Congressional District – Mike Callahan

7th Congressional District - Pat Allen

8th Congressional District - Shannon Haynes

9th Congressional District - Drew Daniel

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Tennessee General Assembly (http://capitol.tn.gov)

Bureau of Ethics and Campaign Finance (http://www.tn.gov/sos/tec/)

Tennessee Code Unannotated (http://www.lexisnexis.com/hottopics/tncode/)

State Comptroller (http://www.comptroller.tn.gov/)

State Treasurer (http://treasury.tn.gov/)

National Association of Secretaries of State (http://nass.org)

Title VI / EEO Information (http://sos-tn-gov-files.s3.amazonaws.com/Title%20VI%20Form.pdf)



Tennessee Secretary of State (http://sos.tn.gov)
Tre Hargett



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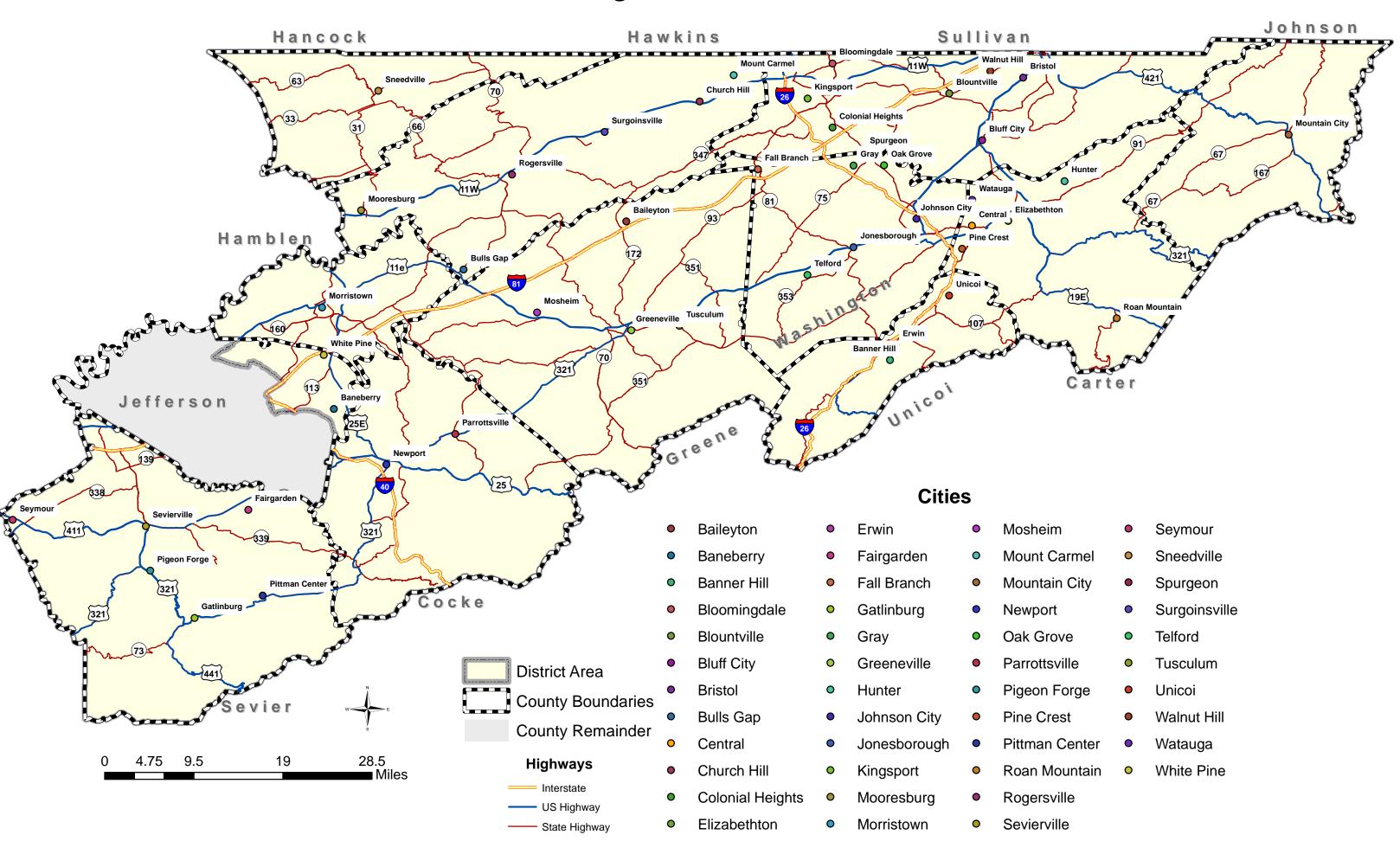
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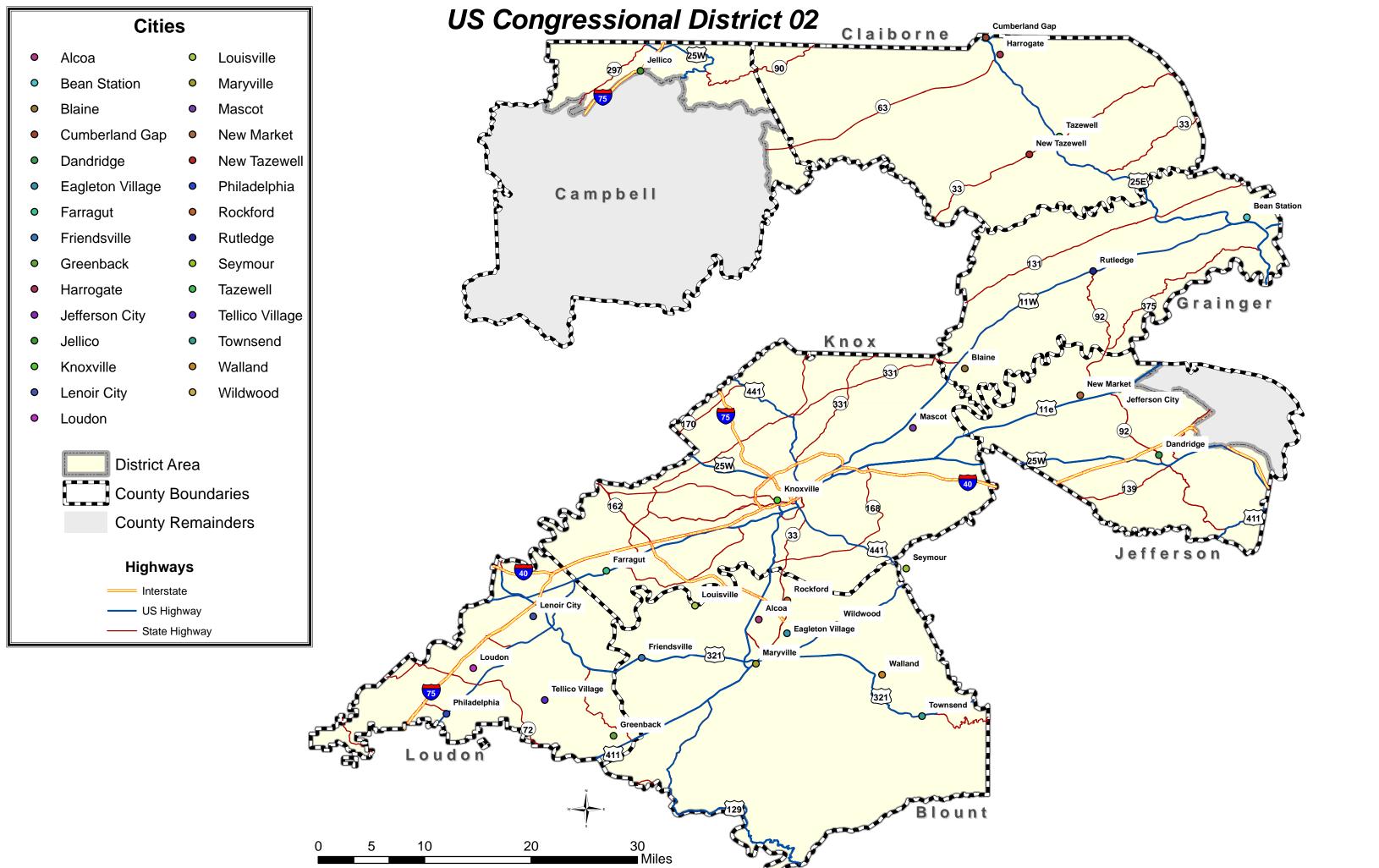
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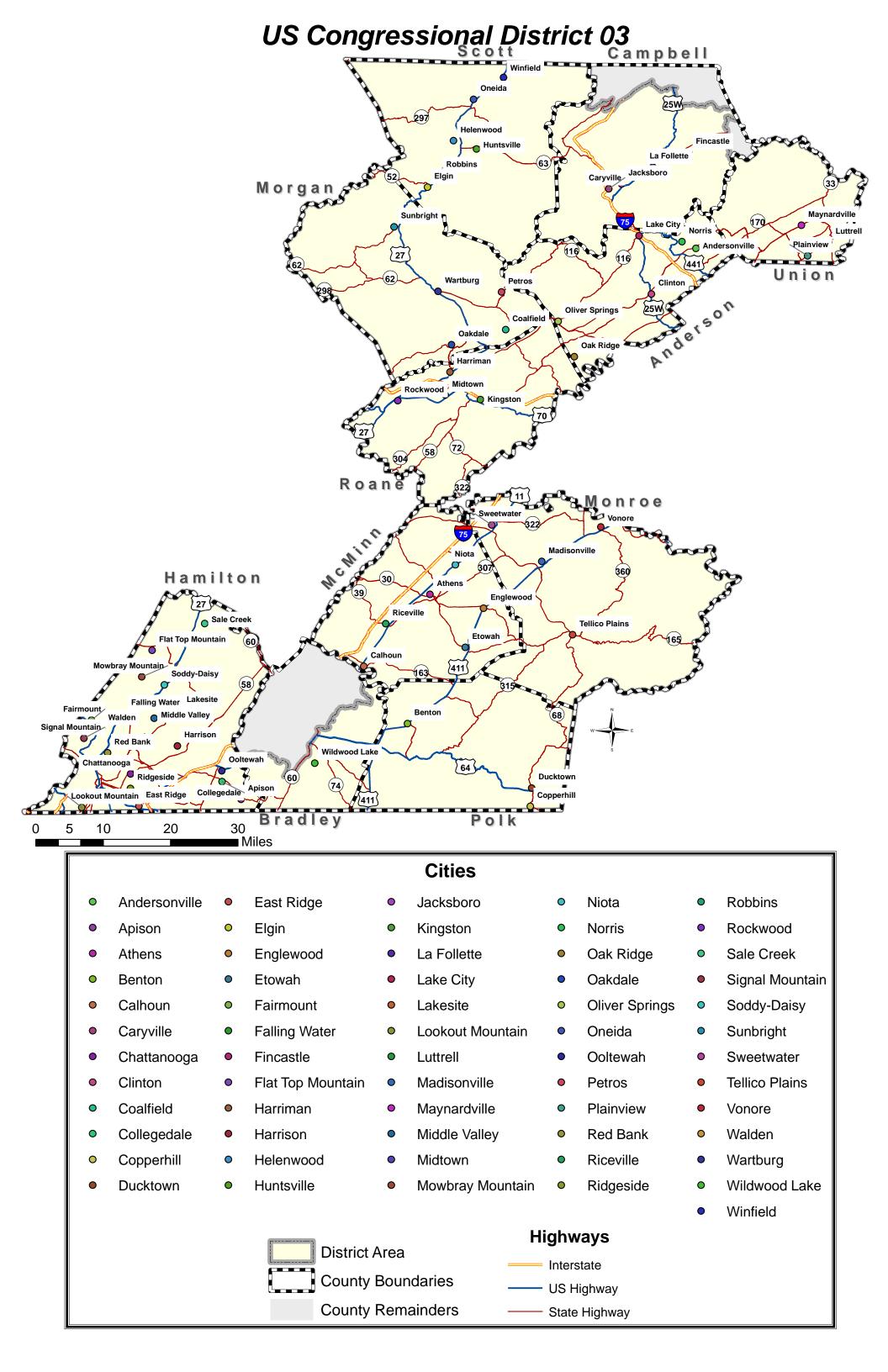
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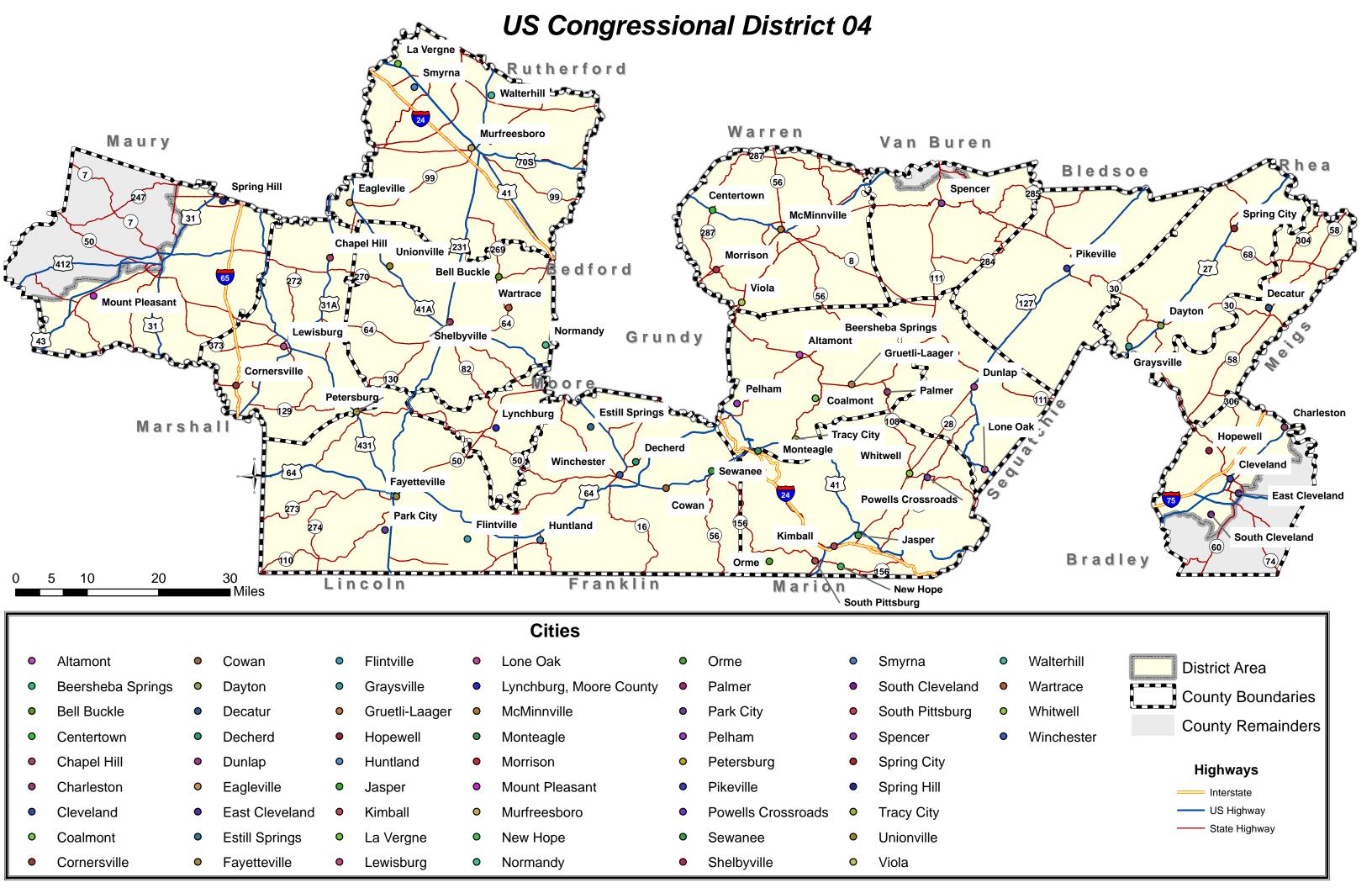
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US Congressional District 01

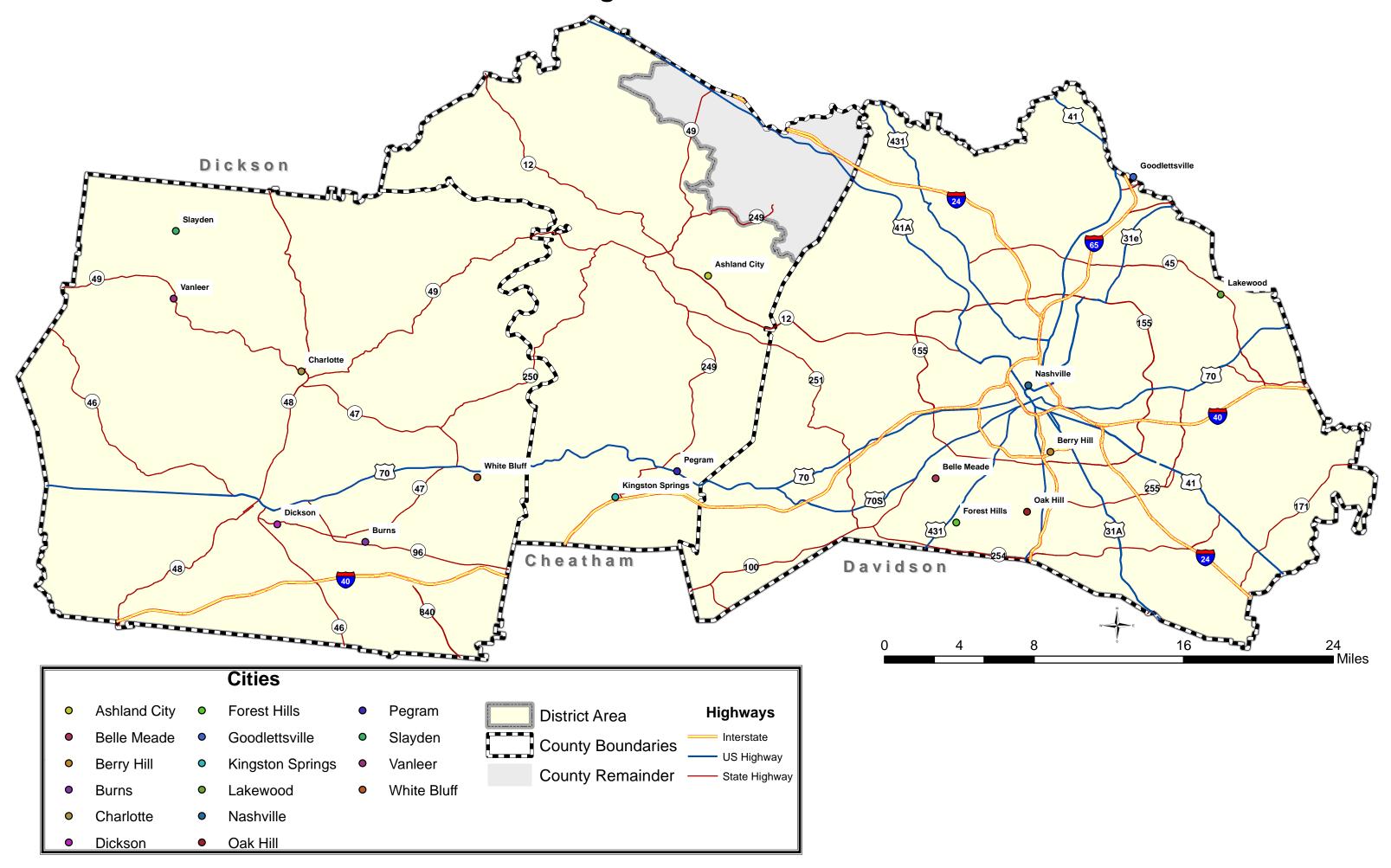


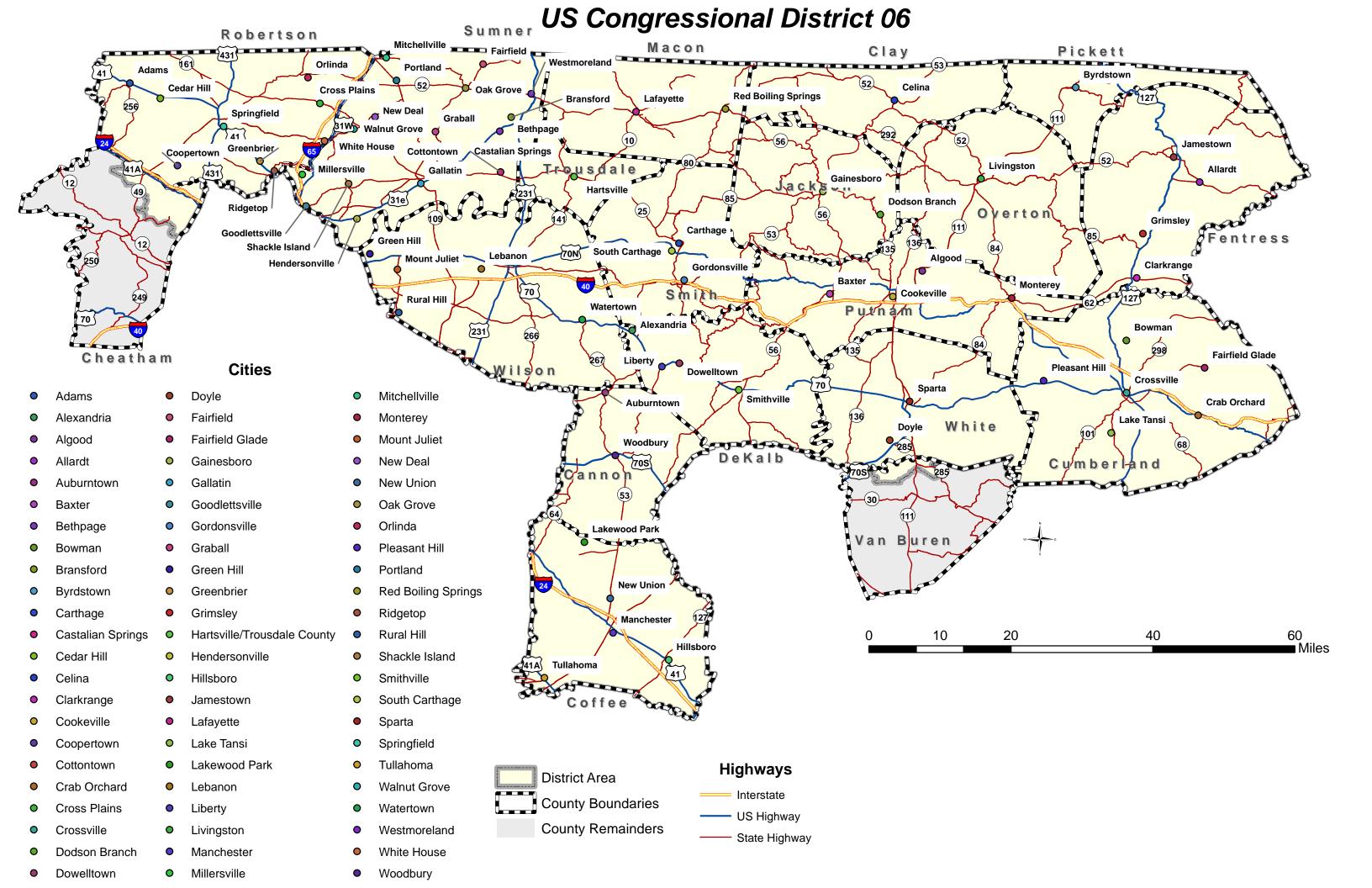


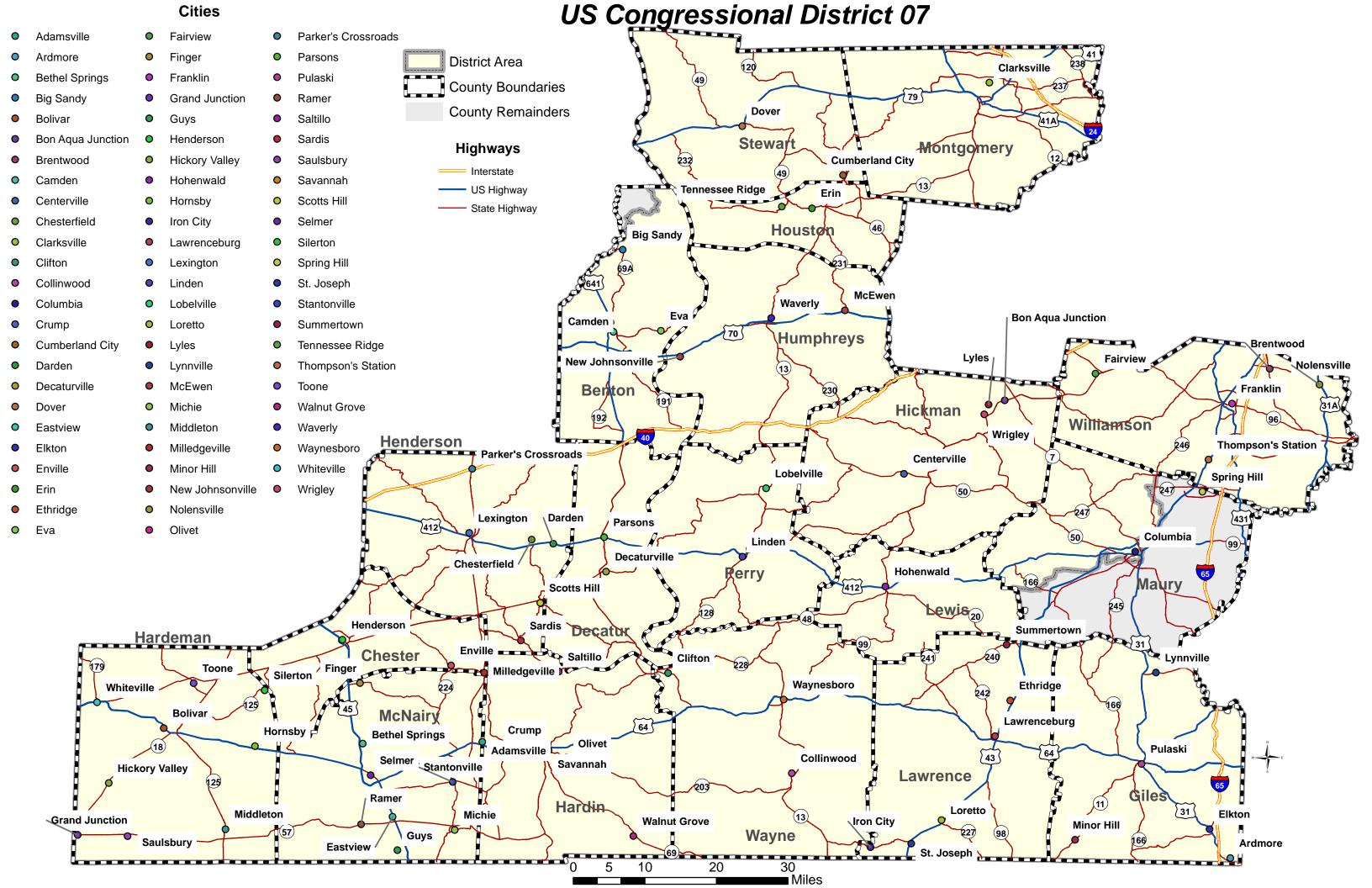




US Congressional District 05

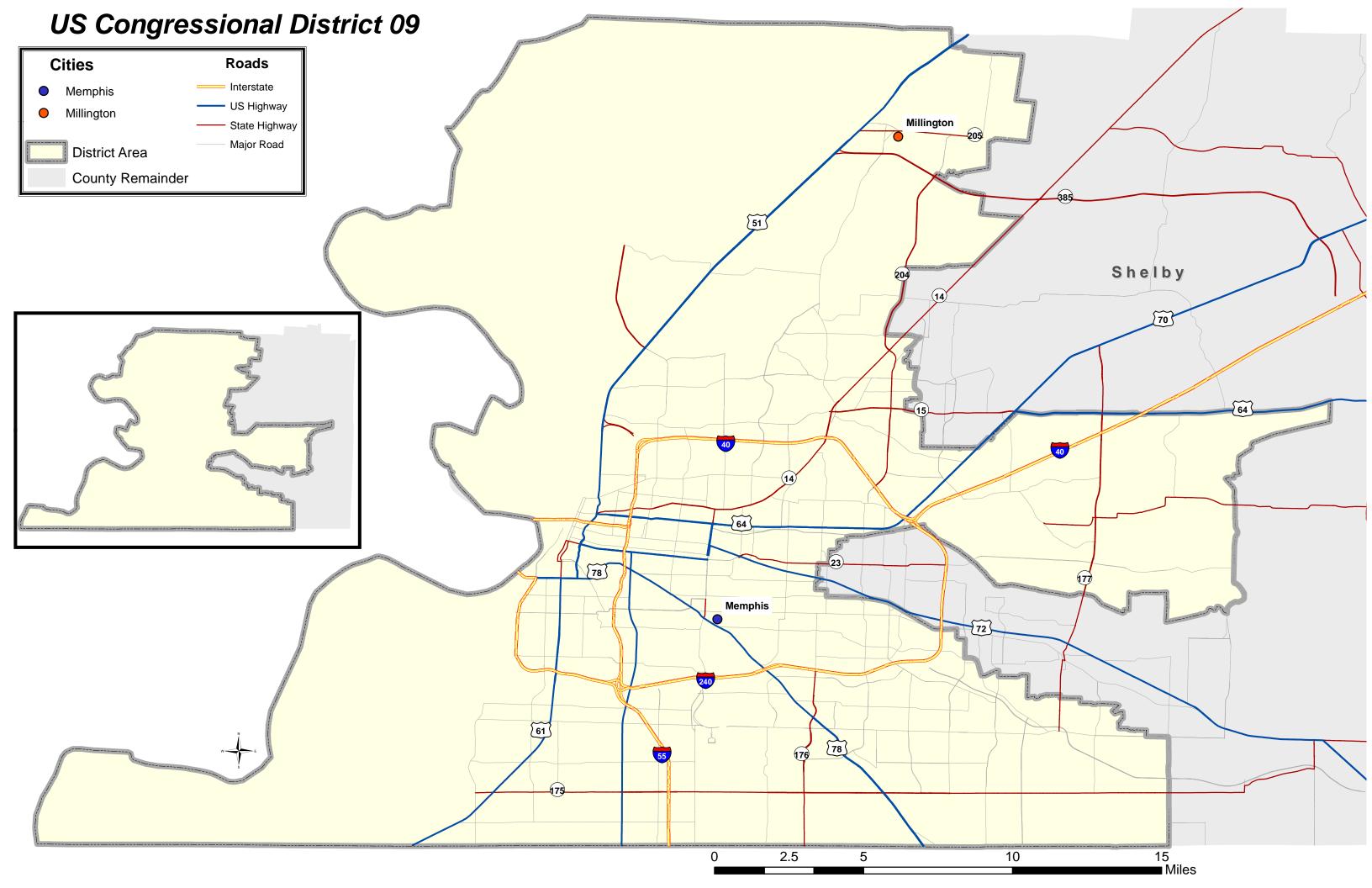






US Congressional District 08







Beth Scott Clayton, LUTCF, CLTC

Nashville, Tennessee Insurance

467

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Drew Daniel

500+

Bankruptcy Collector at Shelby County Trustee

Greater Memphis Area | Government Relations

Current Shelby County Trustee

Previous Red, White, and Food, Memphis City Beautiful

Commission, Shelby County Trustee

Education The University of Memphis

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Published by Drew See more >



Having competing professional sports leagues within the same sport, although highly unrealistic, is an awesome concept.

May 2, 2016

Experience

Bankruptcy Collector

Shelby County Trustee

December 2006 - Present (10 years 2 months)

File bankruptcy claims for taxes owed, write up bankruptcy claims, and electronic processing of BK payments.

Petition Support and Collection

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Drew Daniel @gopdrewster · 19 Dec 2016

Electoral oath of office. #TNelectoralvote - at Tennessee State Capitol Building

STATE OF TENNESSEE

Oath of Office

I, Drew Daniel, do solemnly swear that I will perform with fidelity the duties of the office to which I have been elected and which I am about to assume.

Sworn and subscribed before me at the Capitol, Nashville, Tennessee, this the 19th day of December, 2016

Jeffy S. Girina



Tennessee Comptroller of the Treasury

Justin P. Wilson

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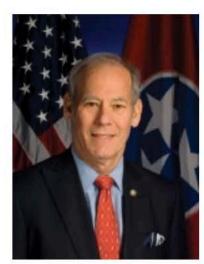
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Administration

This division provides direction, coordination and supervision to the various divisions within the Comptroller's office and assists the Comptroller on various boards and commissions.

Justin.Wilson@cot.tn.gov



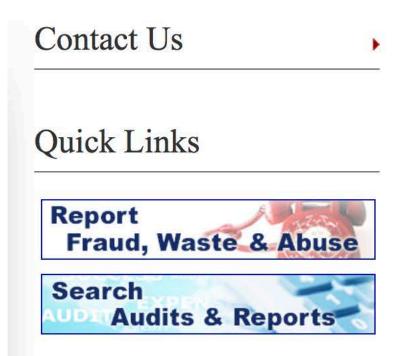
Justin P. Wilson (Bio) 🔁 Tennessee Comptroller of the Treasury State Capitol Nashville, TN 37243-9034 Phone: (615) 741-2501 Fax: (615) 741-7328



Chief of Staff State Capitol Nashville, TN 37243-9034 Phone: (615) 741-2501 Fax: (615) 741-7328 Jason.Mumpower@cot.tn.gov



Lauren V. Plunk (Bio) 🔁 Deputy Chief of Staff 1700 James K. Polk Building 505 Deaderick Street Nashville, TN 37243-1402 Phone: (615) 401-7903 Fax: (615) 741-7328 Lauren.Plunk@cot.tn.gov





Jason Mumpower Chief of Staff

Jason Mumpower is Chief of Staff for the Tennessee Comptroller's Office. He is responsible for the overall management of the Office of the Comptroller of the Treasury, which comprises 11 divisions and more than 500 employees. Additionally he serves as a liaison to the General Assembly, representing the Comptroller on several boards and commissions including the Advisory Council on State Procurement and Tennessee Housing Development Agency.



Prior to assuming his leadership role within the Comptroller's Office in December of 2010, Mumpower served as the State Representative for Sullivan and Johnson counties in the Tennessee General Assembly. First elected to office at age 23, during his 14-year tenure, he held the positions of House Majority Leader and House Minority Leader. He served in key roles on the House Health and Human Resources Committee, the House Finance, Ways and Means Committee and the House Budget Committee.

Mumpower has received numerous awards and recognitions during his career including being named Legislator of the Year by several organizations on multiple occasions including the County Officials Association, First Tennessee Development District, Tennessee Realtors Association, and the Tennessee Association of Marriage and Family Therapists. He is also a recipient of the National Federation of Independent Businesses' Guardian of Small Business Award, the Future Farmers of America's Lifetime Alumni Award, and was named Outstanding Young Man, Kingsport Jaycees.

Jason brings 20 years of experience with an invaluable level of expertise and a wealth of knowledge of state finances and operations to the Office. He is a graduate of King College with a major in Economics and a minor in Political Science. Notably, in June 2013, Jason graduated from Harvard University's John F. Kennedy School of Government *Senior Executives in State and Local Government* program. He is also an Eagle Scout and active in many community organizations and projects, including the Rotary Club of Bristol, TN/VA and the chambers of commerce in Kingsport, Bristol and Johnson County, Tennessee.

Jason is married to Alicia Mumpower. They are the proud parents of their son Max.









Monday, January 2, 2017

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Liz Holiway tapped as state GOP elector

By Hugh Willett

Sunday, August 21, 2016 at 6:00 pm (Updated: August 21, 6:00 pm)

Harriman resident Liz Holiway has been appointed a 2016 presidential elector by the Tennessee Republican party's State Executive committee.

Ten individuals were tapped from across the state to meet Dec. 19 and cast their electoral ballots in the House Chamber of the Tennessee Capitol.

"These people have been instrumental in the success of the Republican Party and we are proud to name them as electors to represent our state," said Ryan Haynes, Tennessee Republican Party chairman.

Holiway, wife of Roane County Administrator of Elections Charles Holiway, has been a member of the state Executive Committee for 25 years. In that capacity, she represents seven counties and participates on the Bylaws Committee.

"She's an amazing woman," said Julia Hurley, former 32nd District state House representative and a member of the executive committee.

"She knows what's going on. You can ask her anything and get the best answer," Hurley added.

Holiway said she has always been a part of a Republican family. She has been active in the Republican Party since her college days, when she supported Barry Goldwater in his 1964 bid for the presidency.

More recently she said she has supported the campaigns of former U.S. Rep. Zach Wamp and U.S. Sen. Bob Corker.

She has also attended Republican National Conventions in New York and Miami.

"I guess when Bush ran it was more exciting," she said.

Holiway said the one thing she is most interested in is getting more young people participating in politics, specifically in the Republican Party.

"We've got to grow the Party, and the only way is to get more young people involved," she said.

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Election Commission



Charles Holiway, Election Administrator

200 E. Race Street, Suite 8

P.O. Box 157

Kingston, TN 37763

865-376-3184

The Roane County Election Commission is charged to afford all the citizens of Roane County the opportunity to vote in all Federal, State, County and City Elections. We are responsible for maintaining voter registration files, polling place arrangements, appointments and training of election officials, printing ballots, preparation of election supplies, providing information to candidates seeking public office, purchase, storage and maintenance of voting equipment, and certification of elections. We strive to promote the election process in an open, fair and effective manner to secure the freedom and purity of the ballot as required by the laws of Tennessee and the United States.

For more information, please see the Roane County Election Commission website at Roane Election Commission

COURTHOUSE HOURS:

The Roane County Courthouse is open:

Monday:

8:30 a.m. -- 6:00 p.m. (except for legal holidays)

Tuesday - Friday:

8:30 a.m. -- 4:30 p.m. (except for legal

holidays)

The Courthouse will be closed on the following days in 2017

January 2, 2017

New Year's Day

January 16, 2017

Martin Luther King, Jr., Day

February 20, 2017

Presidents' Day

April 14, 2017

Good Friday

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Memorial Day

July 4, 2017

Independence Day

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STATE OF TEXAS CERTIFICATE OF VOTE PRESIDENTIAL ELECTOR MEETING DECEMBER 19, 2016

WE, the duly elected or appointed, and qualified, Presidential Electors of the State of Texas, HEREBY CERTIFY that we did convene in the State Capitol, Austin, Texas, on the 19th day of December 2016, for the purpose of voting for President and Vice-President of the United States.

WE FUTHER CERTIFY that the persons whose names are listed herein voted by individual ballot for President of the United States and for Vice-President of the United States, and the number of votes cast for each office numbered thirty-eight (38).

FOR PRESIDENT: DONALD J. TRUMP received 36 votes, RON PAUL received 1 vote, JOHN KASICH received 1 vote and no votes were cast for any other person for President of the United States.

FOR VICE-PRESEDENT: MIKE PENCE received 37 votes, CARLY FIORINA received 1 vote and no votes were cast for any other person for Vice-President of the United States.

IN TESTIMONY WHEREOF: we have hereunto signed our names officially this 19th day of December, 2016.

(all electors sign below) John Harper Robert Bruce min X Stanks

Justis A. Thelson	Via M. Ilm
Curtis Nelson	Tina Gibson
Maddle American	Ax C
Kendell Muenzler	Alexander H. Kim
Virginia abel Virginia Abel	John Dillard
Thomas Knight	Marian Knowlton
Rex Teter	Stephen Suprum Jr
Delan	Stis they
Jon Jewett	Susan Fischer
Loren Byers June 1	William Lawrence Greene
Mary Luc Eslen	Janus Hoet
Mary Lou Erben	Janis Holt Candace Nove
Fred Farias	Candace Noble

The undersigned chair and the undersigned secretary of the Presidential Elector Meeting of the State of Texas assembled at the time and place provided by law, HEREBY CERTIFY that the thirty-eight (38) electors whose names appear on the foregoing certificate voted for President and Vice-President of the United States respectively and signed their names as all above appear.

Done this 19th day of December, 2016, in the State Capitol at Austin, Texas

Chairman, Presidential Elector Meeting

Secretary, Presidential Elector Meeting



The State of Texas

Secretary of State

I, CARLOS H. CASCOS, SECRETARY OF STATE OF THE STATE OF TEXAS,
DO HEREBY CERTIFY THAT THE ATTACHED IS TRUE AND CORRECT
COPY OF THE NOTICE OF APPOINTMENT OF REPLACEMENT
PRESIDENTIAL ELECTOR (FOR SHELLIE D. SURLES) THAT WAS DULY
EXECUTED AT THE MEETING OF THE ELECTORS ON DECEMBER 19, 2016.



IN TESTIMONY WHEREOF, I have hereunto affixed my signature and caused to be impressed hereon the Great Seal of the State of Texas, at Austin, on this the 19th day of December, 2016.

CARLOS H. CASCOS SECRETARY OF STATE

NOTICE OF APPOINTMENT OF REPLACEMENT PRESIDENTIAL ELECTOR

I, Carlos H. Cascos, Temporary Chair of the Meeting of the Electors for President and Vice-President of the United States of the State of Texas (a/k/a Presidential Electors), do hereby certify that the electors declared a vacancy in the membership of the Presidential Electors at the meeting held on December 19, 2016, by majority vote of those present at the Meeting, in accordance with Section 192.006 of the Texas Election Code. Said vacancy was caused by the absence of Shellie D. Surles at the time for convening the meeting. Ms. Surles has also been declared ineligible, and thus Section 192.007(a)(2) of the Texas Election Code also applies.

Said electors did vote at the meeting, and did by majority vote of the qualified electors present, in accordance with Section 192.007 of the Texas Election Code, fill this vacancy of the membership. Said electors appointed the following to participate in the proceedings, as set forth in record of the Electoral College:

Name: Debra Coffey

Address: 500 Throckmorton St. #2204

City: Fort Worth , Texas 76102

Executed this 19th day of December, 2016, at the House Chamber, State Capitol, Austin, Texas.

Signature of Temporary Chair of the Meeting

NOTICE OF APPOINTMENT OF REPLACEMENT PRESIDENTIAL ELECTOR

I, Carlos H. Cascos, Temporary Chair of the Meeting of the Electors for President and Vice-President of the United States of the State of Texas (a/k/a Presidential Electors), do hereby certify that the electors declared a vacancy in the membership of the Presidential Electors at the meeting held on December 19, 2016, by majority vote of those present at the Meeting, in accordance with Section 192.006 of the Texas Election Code. Said vacancy was caused by the absence of Melissa Juett Kalka at the time for convening the meeting. Ms. Kalka has also been declared ineligible, and thus Section 192.007(a)(2) of the Texas Election Code also applies.

Said electors did vote at the meeting, and did by majority vote of the qualified electors present, in accordance with Section 192.007 of the Texas Election Code, fill this vacancy of the membership. Said electors appointed the following to participate in the proceedings, as set forth in record of the Electoral College:

Name: Benona Love	
Address: 7003 Thunder	Road
City: Amarillo	,Texas 79119

Executed this 19th day of December, 2016, at the House Chamber, State Capitol, Austin, Texas.

Signature of Temporary Chair of the Meeting

NOTICE OF APPOINTMENT OF REPLACEMENT PRESIDENTIAL ELECTOR

I, Carlos H. Cascos, Temporary Chair of the Meeting of the Electors for President and Vice-President of the United States of the State of Texas (a/k/a Presidential Electors), do hereby certify that the electors declared a vacancy in the membership of the Presidential Electors at the meeting held on December 19, 2016, by majority vote of those present at the Meeting, in accordance with Section 192.006 of the Texas Election Code. Said vacancy was caused by the absence of Kenneth Clark at the time for convening the meeting.

Said electors did vote at the meeting, and did by majority vote of the qualified electors present, in accordance with Section 192.007 of the Texas Election Code, fill this vacancy of the membership. Said electors appointed the following to participate in the proceedings, as set forth in record of the Electoral College:

Name: Sherry	Clark	
Address: 631 My	Road	
City: Alvin	, Texas	7751

Executed this 19th day of December, 2016, at the House Chamber, State Capitol, Austin, Texas.

Signature of Temporary Chair of the Meeting

NOTICE OF APPOINTMENT OF REPLACEMENT PRESIDENTIAL ELECTOR

I, Carlos H. Cascos, Temporary Chair of the Meeting of the Electors for President and Vice-President of the United States of the State of Texas (a/k/a Presidential Electors), do hereby certify that the electors declared a vacancy in the membership of the Presidential Electors at the meeting held on December 19, 2016, by majority vote of those present at the Meeting, in accordance with Section 192.006 of the Texas Election Code. Said vacancy was caused by the absence of Art Sisneros at the time for convening the meeting.

Said electors did vote at the meeting, and did by majority vote of the qualified electors present, in accordance with Section 192.007 of the Texas Election Code, fill this vacancy of the membership. Said electors appointed the following to participate in the proceedings, as set forth in record of the Electoral College:

Name:	Jani	's Holt		
Address:	105	Magnolia	Trai	
City: 5	ilsbe	e	, Texas	77656

Executed this 19th day of December, 2016, at the House Chamber, State Capitol, Austin, Texas.

Signature of Temporary Chair of the Meeting

STATE OF TEXAS OFFICE OF THE GOVERNOR CERTIFICATE OF ASCERTAINMENT

WHEREAS, Section 192.035, Texas Election Code, provides that a vote for a presidential candidate and the candidate's running mate shall be counted as a vote for the corresponding presidential elector candidates, and shall be so counted and recorded for such electors as the state shall be empowered to elect; and

WHEREAS, Section 192.005, Texas Election Code, provides that the set of elector candidates that is elected is the one that corresponds to the candidates for president and vice-president receiving the most votes;

I, GREG ABBOTT, Governor of the State of Texas, in accordance with Section 67.013(d), Texas Election Code, HEREBY CERTIFY, the attached tabulation for President and Vice-President of the United States, which was prepared by the Secretary of State pursuant to Section 67.013(b).



IN TESTIMONY WHEREOF,

have hereto signed my name and have officially caused the Seal of State to be affixed at my Office in the City of Austin, Texas this 30th day of November 2016.

GREG ABBOTT

GOVERNOR OF TEXAS

ATTEST:

DEPUTY SECRETARY OF STATE

CANDIDATES / PARTY	VOTES RECEIVED
REPUBLICAN PARTY Donald J. Trump / Mike Pence	4,685,047
DEMOCRATIC PARTY Hillary Clinton / Tim Kaine	3,877,868
LIBERTARIAN PARTY Gary Johnson / William Weld	283,492
GREEN PARTY Jill Stein / Ajamu Baraka	71,558
DECLARED WRITE-IN CANDIDATES Tom Hoefling / Steve Schulin Tony Valdivia / Aaron Barriere Robert Morrow / Todd Sanders Emidio Soltysik / Angela Walker Michael A. Maturen / Juan A. Munoz Monica Moorehead / Lamont Lilly Scott Cubbler / Michael Rodriguez Dale Steffes / Paul E. Case Darrell L. Castle / Scott N. Bradley Cherunda Fox / Roger Kushner Laurence Kotlikoff / Edward Leamer Evan McMullin / Nathan Johnson Jonathan Lee / Jeffrey Erskine	932 428 145 72 1,401 122 314 71 4,261 45 1,037 42,366 67

ELECTORS FOR REPUBLICAN PARTY

1.	Martha Rhymes	14. Kenneth Clark	27. Thomas Knight
2.	Thomas Moon	15. Sandra A. Cararas	28. Marian Knowlton
3.	Carol Sewell	16. David Thackston	29. Rex Teter
4.	John Harper	17. Robert Bruce	30. Stephen Suprun Jr
5.	Sherrill Lenz	18. Marjorie Martha Forster	31. Jon Jewett
6.	Nicholas Ciggelakis	19. Scott Mann	32. Susan Fischer
7.	William Hickman	20. Marian Stanko	33. Loren Byers
8.	Landon Estay	21. Curtis Nelson	34. William Lawrence Greene
9.	Rex Lamb	22. Tina Gibson	35. Mary Lou Erben
10	. Rosemary Edwards	23. Kendell Muenzler	36. Art Sisneros
11	. Matt Stringer	24. Alexander H. Kim	37. Fred Farias
12	. Shellie D. Surles	25. Virginia Abel	38. Candace Noble
13	. Melissa Juett Kalka	26. John Dillard	

NUMBER OF VOTES RECEIVED – 4,685,047

ELECTORS FOR DEMOCRATIC PARTY

1.	Vikas Verma	14. Doris Fears	27. Monty Miller
2.	Theresa Daniel	15. Rhonda Belt Rhea	28. Eli Davis
3.	Ron Chapman	16. Garry Brown	29. Monica Acosta-Zamora
4.	Gilbert Adams	17. Joseph Guerrero	30. Laura Allen
5.	Shelia Patrick	18. Shelley Kennedy	31. Andres Lopez
6.	Kevin Hoffman	19. Etta M Crockett	32. Patricia Slovacek
7.	Jesse A Ybanez	20. Cordell Rasco (Joy Parks)	33. Lorene M Juarez
8.	Sharon Hirsch	21. Zack Rudner	34. Erin pena
9.	Robert Lackey	22. Ronald B. Rea	35. Crystal Harris
10.	Elizabeth Tarrant	23. Ron Reyna	36. Norma Chavez
11.	Harriet Irby	24. Guadalupe Lopez	37. Tracy A Smith
12.	Don Hill	25. Carolyn Moon	38. Eddie Montoya
13.	Milagros Lozano	26. Savanna McDonald	

NUMBER OF VOTES RECEIVED – 3,877,868

ELECTORS FOR LIBERTARIAN PARTY

1.	Mark Miller	14. Debra Miller	27. Whitney Jones
2.	Patrick Dixon	15. Guilford Robinson	28. June Genis
3.	Arthur Thomas IV	16. Thomas Glass	29. Josh McMahan
4.	Kurt Hildebrand	17. Steven Haskett	30. Laura Valle
5.	Gary Johnson	18. Kathie Glass	31. Tom Laurent
6.	John Wilford	19. Rebecca Paddock	32. William Collins
7.	Whitney Bilyeu	20. John Shuey	33. Mary Laurent
8.	John Spivey	21. Mary Haskett	34. Lynn Rosas
9.	Benjamin Farmer	22. Timothy Martinez	35. Philip Gray
10.	Kerry McKennon	23. Curry Taylor	36. Rhett Smith
11.	Kevin Ludlow	24. Edward Kless	37. James Crossman
12.	Ed Rankin	25. John Miller	38. Bonar Troy
13.	Edwin Zimmerman	26. Elizabeth LeBlanc	

NUMBER OF VOTES RECEIVED – 283,492

ELECTORS FOR GREEN PARTY

1.	Paul Pipkin	14. Valerie Alessi	27. Adrian J. Worthey
2.	Wesson Gaige	15. Laura Palmer	28. Roy Stanley
3.	Joel A. Mayer	16. Kevin McCormick	29. Scott Pusich
4.	katija gruene	17. Don Palmer	30. Alfred Molison Jr.
5.	Ellen Berky	18. George Reiter	31. Gwendolyn Molison
6.	Adam Greeley	19. Dwight Burdick	32. Debbie Russell
7.	Joel West	20. Nancy Gaige	33. Kent Mesplay
8.	Bernadine Williams	21. Gary Stuard	34. Ashley Gordon
9.	Alan Alan Apurim	22. Remington Alessi	35. Debbie Balandrano
10.	Antonio Diaz	23. Martina Salinas	36. Bill Stout
11.	Aaron Renaud	24. Jonathan Cronin	37. Ona Marie Hendricks
12.	Kristel Wright	25. Alfred Molison III	38. Mary Gourdoux
13.	Maria Elena Castellanos	26. Joshua M Darr	

ELECTORS FOR TOM HOEFLING

1.	Marilyn Marez	14. Mandi Kalbfleisch	27. Gabriel Kaiser
2.	Deanna Watson	15. Carl Kalbfleisch	28. Jeff House
3.	Titus Watson	16. Julie Kay Davis	29. Jodilma Lamb
4.	Robert A. Prior	17. Kevin Davis	30. Andrew Kratzert
5.	Andrew T. Eells	18. Matthew Salvatoce Tringali	31. Brent Hoefling
6.	Greg Lamb	19. Debbie Duke	32. Robbie T. Robitaille
7.	David R. Markham	20. Mary E. Duval	33. Gary Hud
8.	Marcia A. Steinour	21. Yvette Marie DeOtte	34. Sandra J. Ellis
9.	Phyllis H. Buckman	22. Brenda Caroline Huges-Bass	35. Richard Thornton Ellis, Jr
10	Robert Buckman	23. Patricia M. Bundrant	36. Richard Manning, Jr.
11.	Gerald W. Weber Jr.	24. Daryl Rodriguez	37. William Arnold Ingram
12.	Brenda Bonnell	25. Kenneth H. Lowder	38. Polly Machin Prior
13.	Travis Cooper	26. Susan Polk	

NUMBER OF VOTES RECEIVED - 932

ELECTORS FOR TONY VALDIVIA

1.	Krystyn Jean	14. Jared Strohl	27. Lois Morris
2.	Belinda Cavazos-Garza	15. Megan K. Madalinski	28. Michael Keefe
3.	Neil Pickthall	16. Elvia Villalon Chapa	29. Brian Joseph Harrison
4.	Maria Olga Martinez	17. Barbara J. Valdivia	30. Dwan Davey
5.	Leticia Wilton	18. Teresa C. Peterson	31. John Whitaker
6.	Michael C. Moleski	19. Arthur E. Peterson	32. Patrick J. Webber
7.	Cade Benjamin Moleski	20. Jo-Anne Valdivia	33. Sarah Barriere
8.	Mindy Lynn Mister-Moleski	21. Kimberly Wasik	34. Joseph Anthony Valdivia
9.	Brent Youngblood	22. Patricio Chapa	35. Analisa Valdivia
10.	Amy Youngblood	23. Ruth Pickthall	36. Daniel Bernal Sullivan
11.	Michael Meeshon	24. Brett Moyes	37. Marco Rimassa
12.	Marianna M. Webber	25. Whitney Masterson-Moyes	38. Alicia Valdivia
13.	Mary Ellen Madalinski	26. Fredrick Chistopher Coley	

ELECTORS FOR ROBERT MORROW

1. Anne Beckett	14. David Cox Needham	27. Angee Auckburally Franklin
2. Mackenzie Kelly	15. Collin Needham	28. Tim Franklin
3. Rhonda Dobrovolski	16. Nina Jo Muse	29. Kevin Jimenez
4. Maya Hinedi	17. Richard Clayton Dafoe	30. Terry Coleman Sandlin
5. Majd Hinedi	18. Arlo J. Pignotti	31. Annette Frances Towns
6. Kareem Hinedi	19. Justin S. Duda	32. Brian Nelson Alexander
7. Jamil Hinedi	20. David C. Bush	33. Denisse Meza
8. Fatima Layla Hinedi	21. Bradley J. Parsons	34. Daniel Ochoa
9. John J. Chlebowski	22. Mary G. Krenek	35. Travis Allen Doss
10. Fred Werkenthin	23. Craig Young	36. Mark Phillips
11. Nigel Dsouza	24. Danny Ray Sessoms	37. James Wang
12. Erica Lockwood	25. Elizabeth-Anne Kelly	38. Stephen Mason
13. Steve Lockwood	26. Andrew Martin Dobrovolski	

NUMBER OF VOTES RECEIVED – 145

ELECTORS FOR EMIDIO SOLTYSIK

Ι.	Frederick Korh Beall, III	14. Christina Fries	27. Allen Thurmon Coffey
2.	Xavier Silles	15. Henry R. Cantu	28. Manuel Zamora
3.	Robin Brown	16. Charles W. Freeman, Jr.	29. James Edward Collier Wheat
4.	Michael Scott Guilbeaux	17. Gabrielle Balli	30. Steve Rossignol
5.	Candice Neill	18. Melody Perez	31. Sean Daniel Britt
6.	John James Edwards	19. Arlene L. Perez	32. Beverly Tomek
7.	Sean Summers	20. Mark Anthony Perez	33. Robert Tomek
8.	Rochelle Andrade	21. Kimberly Pickens	34. Kevin Clark
9.	Alexander Lee Andrade	22. Lisa M. Ruiz	35. Charles Striedel
10.	Kristen Henderson	23. Javier Rene Ramirez	36. Cassandra Striedel
11.	Thomas Scott Trimble	24. Heather Mascheck	37. Michelle Dennis
12.	John Schlemback	25. Lisa Marie DeVries	38. Glenda Miller
13.	Anna Arredondo	26. Mark Carvelli	

NUMBER OF VOTES RECEIVED – 72

ELECTORS FOR MICHAEL A. MATUREN

1.	Mich	ielle	Obray
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- 2. James Marcus Pappas, Jr.
- 3. Lauren Ruzicka
- 4. Christopher Robert Clay
- 5. Joseph Francis Colvin, Jr.
- 6. Mary Michal Colvin
- 7. Terry Cowan
- 8. Amy A. Foster-Munoz
- 9. Adam Hauser
- 10. Allan R. G. Hawkins
- 11. Jesse Hoover
- 12. Alexander Johannigman
- 13. Roy Johnston

- 14. Christopher David Labadie
- 15. Stephanie Lochet
- 16. Luz Margarita Juarez
- 17. Louis R. Juarez
- 18. Jeffery D. Kroll
- 19. Erin Makel
- 20. Christopher Grady McLain
- 21. Lawrence Paul Mouks
- 22. Joel B. Moore
- 23. Bernadette Vera Moore
- 24. Lisa Anne Nicholas
- 25. Jacob Niemeier
- 26. Steven Pennings

- 27. Joshua Perkins
- 28. Jocelyn Perkins
- 29. Stephen Robert Rudolph
- 30. Johanna Maria Rudolph
- 31. Joan Marie Svedberg
- 32. Joshua Tindell
- 33. Stephanie Tindell
- 34. Micah Titterington
- 35. Troy Tompkins
- 36. Robyn Tompkins
- 37. Jeremiah Vallery
- 38. Laura Williams

NUMBER OF VOTES RECEIVED - 1,401

ELECTORS FOR MONICA MOOREHEAD

- 1. Beverly Jane Boling
- 2. Chalandra R. Robinson
- 3. Robert E. Williams
- 4. Gloria Irene Rubac
- 5. Ernesto Leon
- 6. Elizabeth Marie Brignac
- 7. Betty Williams
- 8. John Martinez
- 9. Paul Gregory Mullan
- 10. Hope Sheets Sanford
- 11. Evan Carroll
- 12. Judith Ann Emerson
- 13. Perri McCary

- 14. Barbara Ann Timko
- 15. Elsa Rodriguez
- 16. Bernadine Williams
- 17. Mario Angelo Salinas
- 18. Lucha Marie Rodriguez-Gonzales
- 19. Daniel Galarado Garcia
- 20. Jana Erin Pellusch
- 21. Joaquina L. Rodriguez
- 22. Conrado Cantu Acevedo, Jr.
- 23. Deloyd T. Parker, Jr.
- 24. Lee Tinker Loe
- 25. Lucha Maria Rodriguez

- 26. Wessie Louise Scyrus
- 27. Jane Tourtellotte Collins
- 28. Henry A. Harden-Cooper
- 29. Claude Frost
- 30. Phyllis Marie Washington
- 31. Leonard Taylor Benton
- 32. Fabian Johan Van Onzen
- 33. Angelyn S. Agapetus
- 34. Jean Wilkins Dember
- 35. Joanne Patricia Gavin
- 36. Alma Jean Williams
- 37. Jacquelina Suzanna Lerma
- 38. Judith Cashin Lerma

ELECTORS FOR SCOTT CUBBLER

1.	Brian Lamb	14. Lora Clay	27. Joseph Shawn Blaylock
2.	Janice Mayes-Clayton	15. Susan Kay Macha	28. John Clayton
3.	Thomas H. Vann	16. Michael Macha	29. Michael Adam Murphy
4.	Denise Cubbler	17. Lisa Hale Jones	30. Eric Lewis
5.	Nicolas Cubbler	18. James C. Jones, Jr.	31. Rebekah Ruth Green
6.	Jane Michelle Shannon	19. Graciela Hernandez-Bobys	32. Sallie Barlow Kindrick
7.	Stephen John Shannon	20. Ethan Jair Bobys	33. Kevin L. Kindrick
8.	Rhonda Taylor Rife	21. Amy Kryger	34. Timothy Napp
9.	Ronald Ray Rife, Jr.	22. Brian Kryger	35. Patricia Mueller Napp
10.	Darren Ross Barlow	23. Lorelei James Shannon	36. Elaine M. Pickle
11.	Aimee Latitia Barlow	24. Danielle Raelene Shannon	37. Johnny M. Pickle
12.	Buck J. Hollister	25. Mark Alan Robinson	38. Yardena Z. Bobys
13.	Arlene Regina Hollister	26. Raji Lakshmi Aiyer	

NUMBER OF VOTES RECEIVED – 314

ELECTORS FOR DALE STEFFES

1.	Howard Reiffert Hedgcoxe	14. Robert F. Samieck	27. Eleanore Boyle Doonan
2.	Frank B. Dori	15. Mary M. Dori	28. John H. Walker, Jr.
3.	Anne L. Trousdale	16. Kerin M. Pelfrey-Hedgcoxe	29. Gertrude G. Garcia
4.	Mary M. Skinner	17. Carmella F. Hope	30. Noel M. Rando, Sr.
5.	Andrew E. Houston	18. Raymond W. Hope	31. David W. Cole
6.	Harold Patrick Rabalais	19. Margie L. Stanfield	32. Paula B. Cole
7.	Walter T. Thome	20. Joseph R. Stanfield	33. Gregory Tyler Stokes
8.	George L. Maness	21. Evelyn Viola	34. Yvonne Burms Rabalais
9.	Teresa B. Maness	22. John J. Viola	35. Paul Andrew Lovoi
10.	Joan A. Carr	23. Jean Wu	36. Monica Lynn Lovoi
11.	Stanley E. Ackerman	24. Merlin Clark Case	37. Rebecca Johnson Miesen
12.	Roy S. Skinner	25. Barbara H. Miller	38. Robert J. Miesen
13.	Gerardus Johannes Smith, Sr.	26. Sam G. Miller	

ELECTORS FOR DARRELL L. CASTLE

2.	Patrick Lyn Munsch Joshua Copeland Jackie Wade Copeland	14. James Edmund Craig, V15. James Edmund Craig16. Lynn Marie Craig	27. Thomas Matthew Trump28. Christopher Munson29. Robert Martin Eoff
4.	Arlon Scott Copeland	17. Dean Joseph Craig	30. Anna Rebecca Tando
	Andrea Borden	18. John M. Lewis	31. David V. Batcheller
6.	Hope Christene Pennington	19. Iva L. Weller	32. Dana BreAnne Zavorka
7.	Bryan Malatesta	20. Sharon Reynolds Wade	33. Dan Zavorka
8.	Marcie Turney	21. James L. Wade	34. Carol Ann Matijevich
9.	Debra A. Ware	22. Gregg Woodcock	35. Dorlena Davis
10.	Daryl Ware	23. Lauren Woodcock	36. Charlie R. Broxton
11.	Daniel D. New	24. Megan Woodcock	37. Dale Delamar
12.	Nathan Wayne Lee	25. Noah Woodcock	38. Cynthia Woodcock
13.	Leah Ruth Waters	26. Melvin Roy Hassell	

NUMBER OF VOTES RECEIVED – 4,261

ELECTORS FOR CHERUNDA FOX

1.	Robert Alexander	14. Jean Moon	26. Ronnie Singleton
2.	Annette Cuinn	15. Anthony Wilson	27. Alexander Benjamin, J
3.	Brenda LaJoyceWashington	16. Teresa Lynn Anderson-	28. George Fedrick
4.	Tom Willis	Russell	29. Charles Turner
5.	Eric Alls	17. E.J. Cofer	30. Melanie Smith
6.	Ben Nicholson	18. Sandra Cleveta	31. Quashondra Wiggins
7.	Queen Agee	19. Ray Fields	32. Jeanne Wiggins
8.	Selia Stiger	20. Bobby Jones	33. Bonnie Weaver
9.	James Stallworth	21. Lorenzo Cotton	34. Vanessa Scott
10.	Denise Evans	22. Oscir Bradley	35. Kemya Hicks
11.	Latwaunie Simmons	23. Marlyn Toombs	36. Johanna Hogan
12.	Aditi Patel	24. Lena Kelly	37. Helen M. Peters
13.	Nancy Rivera	25. Tommie Morris	38. Adrian Thomas

ELECTORS FOR LAURENCE KOTLIKOFF

1. Laura Freeman	14. Wendy Mims	27. Chris Relchert
2. R. Bruce W. Anderson	15. Robert J. Jakubiak	28. Gary Messer
3. Ting H. Yuan	16. Jason Jakubiak	29. John Taper
4. Edward L. Giffin	17. Clara Mendoza Luna	30. Chevy Hefley
5. Robert Rycropt	18. Martha E. Munguia	31. Cheryl Jakubiak
6. Daniel B. Lorimer	19. Abdon Munguia	32. Meredith Messer
7. Abbe W. DeLozier	20. Dwayne Lafferty	33. Robert E. Weedman
8. Amy R. Penny	21. Jonathan Hood	34. Wendell W. Black
9. Thomas Van Auken	22. Katarina Starr	35. William D. Clifford
10. Phillip M. J. Taylor	23. Norma E. Davila	36. Phyllis Joan Giffin
 Daniel Obregon 	24. Selina Morales	37. Morris Cabell McKee
12. Nolan Poorbaugh	25. Robert E. Donaldson	38. Gregory K. Moore
13. Lauren Phipps	26. Kent Cantrell	

NUMBER OF VOTES RECEIVED – 1,037

ELECTORS FOR EVAN MCMULLIN

1.	Kelli Claybrook	14. Michael Wayne Coker	27. Viveca Martinez
2.	William Bostian	15. Brittany Gilbert	28. Catherine Van Arnam
3.	Jaclyn Penfield	16. Miguel A. Duenas	29. Jan Van Arnam
4.	John Claybrook	17. Veronica Duenas	30. Tom Peterson
5.	Justin Sarver	18. Hamzah Lydick	31. Megan Peterson
6.	Matthew B. Stevenson	19. Amin Tawakul	32. Kathleen Theresa Hunker
7.	Cole Burdette	20. Jessica A. Murrugarra	33. David Jonathan Loyd
8.	Laurie Attaway Claybrook	21. Lindsay Goodreau	34. Barbara Michell Lane
9.	Craig Loy Claybrook	22. Edward N. Goodreau	35. Britani Morris-McArdle
10.	J. Stanton Morrow	23. Mark Willey	36. Celeste Brown
11.	Stacy Elizabeth Kirby	24. Bianca Caram	37. Amanda Greiner
12.	Benjamin Garrett Kirby	25. Darrell Andrew Frost	38. Sara Spence
13.	Andrea Linn Coker	26. William Cowan	

NUMBER OF VOTES RECEIVED - 42,366

ELECTORS FOR JONATHAN LEE

1.	Kyle Smith	14. Carlos Simental	27. Joseph Lee
2.	Christian Rees	15. William Schiesler	28. Jonathan Lee
3.	Joel Lin	16. Mark Rosholt	29. James Lee
4.	James Christopher Goains	17. Carole Pernicka	30. Hosherg Lee
5.	Matthew Holland	18. Nancy Pavlicek	31. Casey Lee
6.	Drew Hubbeling	19. Matyas Mosxorodi	32. Allison Lee
7.	Taylor Fizel	20. Derek Pavlicek	33. Zachary Langan
8.	Barbara Aviles	21. Megan McCurry	34. Nicole Howard
9.	Derek Becka	22. Ethan Marler	35. Traci Clayton
10.	Becky Carreon	23. Jonathan Lin	36. Nicholas Erskine
11.	Brian Villalobos	24. Ying Li Lee	37. Toni Fuller
12.	Akasha Banks Villalobos	25. Victoria Lee	38. Rachel Graham
13.	Shirley Temsgen	26. Thomas Lee	

NUMBER OF VOTES RECEIVED - 67

Our District



I am honored to serve the residents of the 12th Congressional District of Texas.

Here you can learn more about our district, browse the map, find local resources and contact my District Offices.

12th District of Texas - Interactive Map

The 12th Congressional District is located in the North Texas and generally includes the western half of Tarrant County, part of Wise County and all of Parker County.

The region was settled in 1849 when a U.S. Army outpost was established on the Trinity River and named for the Army commander in the region, General William Worth. In the late 1800s, the Fort Worth region was the last stop before the famed western cattle drives set off on the long trek to rail yards in Kansas. Railroads were responsible for ending the cattle drives and

the creation of a stockyard center on the North Side. Discovery of oil in Texas in the early 1900s created a boom in Fort Worth and the region. Fort Worth's winning a competition for a bomber plant in the 1940s started the aerospace/defensive aviation manufacturing industry in the region that still thrives.

Based on the 2010 U.S. Census, the population of District 12 is 728,142. The racial composition of the district is: Anglos: 66.5 percent, Blacks: 6.1 percent, Hispanics: 23.7 percent and others: 3.9 percent.

The Tarrant County portion of District 12 includes 17 cities. Wise County has 12 cities and Parker County has 14 cities.

Fort Worth is the largest city in the 12th District, with an estimated 2013 population of more than 792,700 and it is the county seat for Tarrant County. It is the seventeenth largest U.S. city and the fifth largest city in Texas. Weatherford, with a population of 27,050, is the largest Parker County city. Decatur, with a population of 6,200, is the largest Wise County city. Both are the seat of their respective counties. The North Central Texas Council of Governments expects the area within District 12 will double in population between Years 2000 and 2030.

The number of female and male residents in the district is virtually equal: 50.6 percent female and 49.4 percent male. The median age is 35 years old. The average family size is 3.23 persons, with 62 percent of the residents owning their homes.

The District 12 area is renowned for its quality of life. The region not only offers excellent jobs, it also is considered an outstanding place in which to live and relax.

Named in 2004 as one of the most livable areas in the country, the economic engine of the area is Dallas/Fort Worth International Airport (DFW), located a few miles to the east of District 12. A Texas Department of Transportation

study estimated the annual economic impact of D/FW Airport at \$14.3 billion annually. An estimated 61 million passengers come through DFW annually. Two-hundred-thousand-eighty-five people work directly or in secondary employment related to the airport. The airport handles 60 percent of the air cargo that comes through Texas. More than 130 destinations are served with non-stop flights from DFW. More than 1,100 round trip flights come and go to these destinations daily.

District 12's Fort Worth is home to the nation's only industrial airport—Alliance Airport. Alliance is the heart of a booming Alliance industrial corridor, with a FedEx sorting hub as one of the major airport tenants.

With Interstates 35 West and 30 crossing in Fort Worth, Amtrak and Trinity Rail Express commuter passenger train service, freight rail service and the airports, District 12 is a transportation hub.

Four Fortune 500 companies are headquartered in District 12—AMR Corp, Burlington Northern Santa Fe Corp., D.R. Horton, Inc. and RadioShack. Hundreds of other excellent internationally known companies also are located in District 12, including Lockheed Martin Corp., the manufacturer of the F-16, the Joint Strike Fighter, the F-22 Raptor, and the F-35, as well as XTO Energy and Cash America. A combination of aerospace, logistic/distribution services, life science and retail business sectors, as well as agricultural businesses, are the economic backbone of the district.

District 12 has a wide array of housing, from popular downtown condos and lofts to ranch lifestyle in the outlying areas. More new home building permits have been issued in the District 12 area in last several years than in the remainder of the North Texas. A recent National City Corp. study concluded that home prices in the District 12 area are among the most affordable in the country.

A strong education system prepares the youth of the district for tomorrow. A system of public and private elementary and high school feeds into excellent

colleges and universities that include Texas Christian University, Texas Wesleyan University, Tarrant County College, Weatherford College, University of North Texas Health Science Center and others.

Located within District 12 are some of the Texas' best culture and entertainment venues, starting with the best small museum district in the country that features the Kimbell, Modern Art, Amon Carter, Cowgirl and the Science and History museums. They are situated next to the famed Will Roger Memorial Complex that hosts more equestrian events than any facility in the United States. Cowboys and culture are truly complimentary in the District 12 area.

Complementing the Fort Worth Cultural District is the Historic Stockyards area in North Fort Worth where the area's western heritage is still alive and downtown Fort Worth, which is recognized as one of the best and most vibrant downtowns in the country. In Weatherford, the annual Peach Festival is considered a must-see event.

A hallmark of the area is its ability to work together. A variety of partnerships involving the public and private sectors as well as civic greater Fort Worth are credited with a numerous accomplishments that includes everything from a successful crime-fighting campaign to the internationally-acclaimed Bass Performance Hall and central city revitalization.

Local Agencies

A list of Federal government offices in or around the district as well as Federal courts with jurisdiction over the district.

Texas Local Government

Texas State Government



Texas Secretary of State



AM I REGISTERED? TEXAS ELECTIONET ADMINISTRATION SYSTEM

Elections

News Room



Voter Information

Name: DEBRA DIANE COFFEY

Address: 500 THROCKMORTON STREET 2204

FORT WORTH TX 76102

Gender: FEMALE Valid From: 01/01/2016

Effective Date of Registration: 09/20/1995

Voter Status: ACTIVE County: TARRANT Precinct: 1001 VUID: 1052346368

Change your Address

Upcoming Elections (Select Election for available polling information)	

***Eligibility is determined by Effective Date of Registration (Must be on or before Election Day)

Please Note: Polling places are subject to change. Always check your designated polling place location via this website or by contacting your county prior to going to vote.

ADDITIONAL QUESTIONS and FAQ

Note: Any questions now that you see your voter registration status? On Suspense? Don't live at that address anymore? Not sure what to do next? Check out our FAQ.

Back



114th Congress, 2nd Session - The House is not in session

LEADERSHIP

COMMITTEES

LEGISLATIVE ACTIVITY

THE HOUSE EXPLAINED



REPRESENTATIVES Find Your Representative

Information provided: Street: 631 MY RD City: ALVIN, TX Zip Code: 77511-2821

is located in the 14th Congressional district of Texas.

The representative for this district is:



Rendy K. Weber Sr. Republican O 573



Center of zip code

U.S. House of Representatives Washington, DC 20515 (202) 224-3121 TTY: (202)-225-1904 House Operating Status

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77511 +



Randy K. Weber St. Republican Texas District 14

Pete Olson Pepublican Texas District 22 |



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THE HOUSE EXPLAINED



Your Possible Representatives LEADERSHIP LEGISLATIVE ACTIVITY

631 My Road

Provide Additional Information The information you provided (Zip code: 77511) overlaps multiple congressional districts. Providing additional information (either your ZIP+4 or your street address) will allow an exact match.

Find Your Representative with ZIP+4

Enter a +4 pip code extension:

Enter Street Address

Texas



Center of sig-code

Texas' 'faithless electors' unlikely to affect outcome of 2016 race

Abilene

9:54 p.m. CST December 17, 2016



(Photo: Alex Brandon/Associated Press)

AUSTIN – Like a lot of Texas Republicans, Donald Trump wasn't Scott Mann's first choice for president this year. That honor went to U.S. Sen. Rand Paul of Kentucky. When Paul's candidacy fizzled, Mann backed his fellow Texan Ted Cruz.

But once Trump won his party's nomination, Mann pledged to vote for him twice, and that's what he intends to do

Mann is among the 38 members of the <u>Electoral Colleg (https://www.archives.gov/federal-register/electoral-college/about.html)</u>e from Texas who, because the Republican ticket carried the state in November, will be in Austin on Monday to help officially make Donald Trump the 45th president of the United States.

Ordinarily, the meeting of the presidential electors of the 50 states and the District of Columbia on the third Monday of December is the least covered event of the long election cycle. But this year, the process will likely be front and center because handful of electors from around the nation — including two from Texas — have said they won't vote for Trump.

But even though Mann joined the Trump bandwagon only after his first options were eliminated, he plans to vote for the candidate who won Texas on Election Day.

"When Texas electors were chosen last May 14 it was clear that Donald Trump was the presumptive nominee of the Republican Party," Mann, a political operative from Lubbock, wrote on his blog, <u>Standstorm Schola (http://sandstormscholar.com/author/sandstorm-scholar/#sthash.rf3pwcus.dpbs)</u>r. "Every person who asked to be an elector did so fully informed of who was to be the nominee.

"Each of us signed a pledge that, as electors, we will support the nominee when called to Austin on December 19."

The item was posted on the blog after Texas elector Christopher Suprun of Dallas wrote in New York Times opinion piece that he plans to vote for another as-yet-to-be-named Republican, citing Trump's rhetorical excesses and saying he "lacks the foreign policy experience and demeanor needed to be commander in chief."

That came after Houston area elector Art Sisneros resigned saying religious objections would not allow him to cast his vote for Trump.

Both Sisneros and Suprun, each dubbed "faithless electors" because of their refusal to follow the state's popular vote, have noted that the Electoral College was something of a fail-safe that the framers included in the U.S. Constitution. In article titled "Federalist No. 68," Alexander Hamilton wrote that electors could in effect nullify the will of the voters in the event they were to choose a presidential candidate with "talents for low intrigue" and other shortcomings.

David Thackston, an elector from El Paso, said those who cite that 18th century writing as a justification for turning their back on the majority of Texas voters are misguided. Like Mann, Thackston said he's received hundreds of letters and emails urging him vote against Trump, but found them unpersuasive.

"The voters of the state of Texas think Donald Trump is fit candidate," Thackston said. "So do I."

Thomas Knight, an elector from Corpus Christi, agreed. "I intend to honor my oath," he said.

Electors in Texas, as in other states, are chosen by the state's political parties. Republicans and Democrats each field a slate of electors, but only those from the party that carries the state actually cast electoral votes.

Texas does not bind its electors to back the candidate who wins the state's popular vote, but 29 others and the District of Columbia do.

http://www.reporternews.com/story/news/politics/ 2016/12/17/texas-faithless-electors-unlikely-affectoutcome-2016-race/95577648/



President-elect Donald Trump (left) walks with his son Barron (center) and wife Melania, to speak at an election night rally, Wednesday, Nov. 9, 2016, in New York. Texas electors will meet Monday at the state Capitol in Austin, as will their counterparts in other states and the District of Columbia, to cast electoral votes, which officially will make Trump president-elect. (Photo: Evan Vucci/Associated Press)

A Texas-based organization calling itself the <u>Hamilton Defender (https://hamiltondefenders.org/)</u>s has promised to provide legal counsel to electors who might face fines or other repercussions for casting their vote against Trump. The organization, which did not respond to an interview request, set up an online fundraising effort to offset its expenses. It was about half way to its goal of collecting \$45,000 last week.

After Suprun went public with his decision not to follow the Texas popular vote, both Republican Gov. Greg Abbott and Lt. Gov. Dan Patrick, who chaired Trump's campaign effort in Texas, said it might be time to change Texas law to compel its electors to back the state's popular vote winner.

Patrick called Suprun's move "a slap across the face" of the nearly 4.7 million Texans who cast their votes for Trump (http://elections.sos.state.tx.us/elchist319_state.htm). Abbott took to Twitter (https://twitter.com/GregAbbott_TX) to express his dismay.

"Rogue Texas elector could lead to binding law," the governor tweeted. "This must be done as part of our election integrity plan."

Michael Joyce, spokesman for the Texas Republican Party, said that party activists who seek to become electors sign an affidavit pledging support for the GOP nominee. The Republicans are on a 10 presidential-election-cycle winning streak in Texas and the party has never had to worry about electors defecting until this year.

"We expect them to do what they say they're going to do," Joyce said, adding that Sisneros will be replaced during Monday's meeting of the Texas electors. "And that is honor their oath. That's what everyone else has done. To me, (electors defecting) is just a publicity stunt."

Brandon Rottinghaus, a University of Houston political science professor, predicted that once the dust settles, the electoral votes on Monday will neatly track the outcome on Election Day when according to the state-by-state returns, Trump collected 306 to Democrat Hillary Clinton's 232. It takes 270 votes to claim the presidency.

"Going forward, you might see electors in future elections to go their own way regardless of how their states voted," Rottinghaus said. "But I don't think the process will unravel."

He agreed, however, that the founders did "intend for the electors to the sane voice in a chaotic process."

But the lesson for this cycle, Rottinghaus said, might be that the state parties around the nation should be more mindful when deciding who gets chosen for the Electoral College.

"In the past, so little attention is paid because there's never a surprise," he said.

Mann, the Lubbock elector, said there might come a time when the college should sidestep the will of the people so the Texas process should not be changed. El Paso's Thackston and Knight of Corpus Christi agreed that tinkering with the process is not necessary.

El Paso Times staff writer Marty Schladen contributed to this report.

Texas' role in the Electoral College

Under the "Meeting of the Electors" provision of the <u>Texas Election Code (http://www.statutes.legis.state.tx.us/Docs/EL/htm/EL.192.htm)</u>, Texas Secretary of State Carlos Cascos will convene the electors in the Capitol at 2 p.m. Monday. Once convened, the electors will choose a chairperson from their own ranks to preside over the voting. Texas will join the other states and the District of Columbia in submitting its electoral votes to Congress where they will be ratified on Jan. 6 to finally settle the outcome of the presidential election.

The Texas Electors

MARTHA RHYMES

Congressional District 1 (East Texas)

THOMAS MOON

Congressional District 2 (Houston area)

CAROL SEWELL

Congressional District 3 (Colin County/Plano area)

JOHN HARPER

Congressional District 4 (Northeast Texas)

SHERRILL LENZ

Congressional District 5 (Dallas area)

NICHOLAS CIGGELAKIS

Congressional District 6 (Arlington, counties to the southeast)

WILLIAM HICKMAN

Congressional District 7 (Houston and eastern suburbs)

LANDON ESTAY

Congressional District 8 (Houston and counties to the northeast)

REX LAMB

Congressional District 9 (Houston and suburbs south and east)

ROSEMARY EDWARDS

Congressional District 10 (Stretches from Austin to eastern Houston)

MATT STRINGER

Congressional District 11 (West Texas; includes San Angelo and Midland)

SHELLIE D. SURLES

Congressional Disrtrict 12 (Fort Worth and counties to the west)

MELISSA JUETT KALKA

Congressional District 13 (Wichita Falls to Amarillo and the Panhandle)

KENNETH CLARK

(Congressional District 14 (Gulf Coast northeast of Houston to Galveston)

SANDRA A. CARARAS

(Congressional District 15 (Fron San Antonio to Edinburg)

DAVID THACKSTON

Congressional District 16 (El Paso)

ROBERT BRUCE

(Congressional District 17 (Waco and counties east and south)

MARJORIE MARTHA FORSTER

Congressional District 18 (Central Houston and nearby areas)

SCOTT MANN

Congressional District 19 (From north and west of Lubbock to Abilene)

MARIAN STANKO

Congressional District 20 (San Antonio and communities to the west)

CURTIS NELSON

Congressional District 21 (Includes much of the Hill County and parts of Austin and San Antonio)

TINA GIBSON

Congressional District 22 (Sugar Land and communities south and east of Houston)

KENDELL MUENZLER

Congressional District 23 (From San Antonio to El Paso and the Big Bend)

ALEXANDER H. KIM

Congressional District 24 (Dallas-Forth Worth area)

VIRGINIA ABEL

Congressional Disrtrict 25 (South of Dallas-Fort Worth to Austin)

JOHN DILLARD

Congressional District 26 (Fort Worth and suburbs to the north)

THOMAS KNIGHT

Congressional District 27 (Corpus Christi and areas to the north and west)

MARIAN KNOWLTON

Congressional District 28 (From San Antonio to Laredo)

REX TETER

Congressional District 29 (Houston area)

STEPHEN SUPRUN JR.

Congressional District 30 (Dallas area)

JON JEWETT

(Congressional District 31 (North and west of Austin)

SUSAN FISCHER

Congressional District 32 (Dallas area)

LOREN BYERS

Congressional District 33 (Fort Worth area)

WILLIAM LAWRENCE GREENE

(Congressional District 34 (West of San Antonio to Brownsville)

MARY LOU ERBEN

Congressional District 35 (Austin to San Antonio)

ART SISNEROS (Resigned; will be replaced)

Congressional District 36 (Southeast Texas)

FRED FARIAS

Statewide elector

CANDACE NOBLE

Statewide elector

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GENERAL RULES FOR ALL CONVENTIONS AND MEETINGS

Rule No. 1 – Adoption and Amendment of Rules; Clarification

These Rules, having been filed with the Secretary of State of Texas, together with the statutes, rules, and bylaws adopted by reference shall constitute the Rules of the Republican Party of Texas ("Rules").

- a. Amendments Amendments to Rules may be proposed by:
 - 1. Majority vote of the State Republican Executive Committee ("SREC"), at any meeting properly called and constituted, provided at least seven (7) days prior written notice of the full text proposed has been given in writing to each member thereof; or
 - 2. The Permanent Rules Committee of any State Convention.
- b. Adoption These Rules, with the exception of Permanent State Executive Committee Rules required or authorized by state law, may be changed only by action of a State Convention, such action reflecting a majority of votes cast by delegates present and voting. When any change is made a certified copy of the changes shall be filed with the Secretary of State not later than thirty (30) days following their adoption.
- c. Temporary and Emergency Changes The SREC in its best judgment, by a two-thirds (2/3) vote of those present and voting, provided prior written notice of the full text proposed has been given to each member thereof, may prescribe such temporary and emergency changes of these Rules so as to permit the orderly conduct of the affairs of the Republican Party of Texas in accordance with the intent and purpose of these Rules. Such temporary and emergency changes may be made when the conduct, operation, or implementation of these Rules will become frustrated or impracticable, or contrary to their intent and purpose, if by reason of:
 - 1. valid laws enacted by the Legislature of the State of Texas;
 - 2. any administrative or judicial action of any officer, or agency of the State of Texas or any county or political subdivision thereof, or of the Federal Government;
 - 3. any interpretation of these Rules as they relate to The Rules of the Republican Party (national) by any duly authorized official of the Republican National Committee; or
 - 4. technical inconsistencies or defects.
 - Any such changes shall be valid only until such time, if any, as they are ratified or amended by the next subsequent State Convention, or until the adjournment of such State Convention, whichever shall occur first.
- d. Permanent State Executive Committee Rules The SREC, as authorized by Section 163.004(a)(2)(B), Texas Election Code ("TEC"), by a two-thirds (2/3) vote of those present and voting, provided at least seven (7) days prior written notice of the full text proposed has been given to each member thereof, may prescribe Permanent State Executive Committee Rules that are not subject to amendment by action of a State Convention.
 - 1. These Permanent State Executive Committee Rules may be amended by the SREC by a two-thirds (2/3) vote of those present and voting at any meeting properly called and constituted, provided at least seven (7) days prior written notice of the full text proposed has been given in writing to each member thereof.

- Any Permanent State Executive Committee Rule shall be identified in these Rules by the notation "(Permanent State Executive Committee Rule)."
- 2. At the first meeting of each term the SREC may, by a vote of a majority of those present and voting, delegate temporary authority to amend a Permanent State Executive Committee Rule to a State Rules Committee of the subsequent State Convention, except for Rule No. 1, as the State Rules Committee determines and reports to the State Convention for consideration. Said temporary authority shall expire with the adjournment of the State Convention. Any Permanent State Executive Committee Rule delegated to the State Convention shall be identified in these Rules by the notation "(Permanent State Executive Committee Rule delegated to the State Convention)."
- e. Pursuant to Section 163.006, TEC, any amendments made to these Rules and contained herein which govern or affect the Republican Party of Texas' general or runoff primary elections, conventions, or nominees, are effective January 1 on the odd-numbered year following adoption.
- f. Clarification Any member of the Republican Party of Texas who discovers an ambiguity in these Rules may request in writing a clarification from the County Chairman or the State Chairman. Clarification from the State Chairman shall be binding on all members of the Republican Party of Texas until final clarification is made by majority vote of the SREC. Any clarification made shall be to maintain the intent and purpose of these Rules as originally adopted.
- g. Definitions Pursuant to the incorporation of Section 311.014 of the Texas Government Code under Rule No. 4 of these Rules, when computing any period of days referred to in these Rules, the first (1st) day is excluded and the last day is included. Also, if the last day of any period of days is a Saturday, Sunday, or legal holiday, then the period is extended to include the next day that is not a Saturday, Sunday, or legal holiday.

Rule No. 2 – Publication and Distribution of Rules

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 In order to publicize these Rules throughout the state, prior to the Precinct Conventions, copies thereof and of those pertinent portions of the TEC dealing with Party conventions at all levels shall be mailed to each County Chairman and each Senatorial District Convention Chairman with instructions to supply a copy to each Precinct Chairman and to each County or District Convention Committee Chairman. Upon request, a copy shall be provided to any delegate or alternate to the State Convention and to any other interested person who shall request the same; and an adequate supply thereof shall be maintained at the Republican Party of Texas Headquarters to fill requests. A charge, which shall be no greater than the unit cost of printing and postage, may be made for requested copies of these Rules.

Rule No. 3 – Discrimination Prohibited

Participation in any Republican convention or meeting including, but not limited to, any primary caucus, any meeting or convention held for the purposes of selecting delegates to a County, District, State, or National Convention shall in no way be abridged for reason of sex, age, race, religion, color, or national origin.

Rule No. 4 – Adoption by Reference: Constitution of the United States, Constitution of the

- 2 State of Texas and Statutes
- 3 The Constitution of the United States, the Constitution of the State of Texas, and the statutes of
- 4 the United States and the State of Texas, insofar as they may be applicable, are hereby adopted
- 5 by reference and shall govern the conduct of all conventions and meetings of the Republican
- 6 Party of Texas from the precinct level through the state level. Nothing in these rules shall be
- deemed to waive any rights of the Republican Party of Texas, including, but not limited to, those
- 8 described in the Constitution of the United States and the Constitution of the State of Texas.

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Rule No. 5 – Parliamentary Authority

- 11 Unless otherwise provided for by the Constitution of the United States, the Constitution of the
- State of Texas, the statutes of the United States or the State of Texas, or these Rules, the current
- edition of *Robert's Rules of Order Newly Revised*, which is hereby adopted by reference, shall be
- the parliamentary authority governing all conventions and meetings of the Republican Party of
- 15 Texas from the precinct level through the state level, inclusive.

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Rule No. 6 – Proxies Prohibited

The use of proxies or proxy voting is hereby prohibited in all Republican Party of Texas proceedings, from the precinct level through the state level, inclusive, except the SREC.

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Rule No. 7 – Casting Votes

- a. At all conventions, executive committee meetings, and any other Party meetings, votes shall be cast and counted in the manner prescribed by the current edition of *Robert's Rules of Order Newly Revised*; and except as provided in this rule, the vote of each member shall have equal weight. A county executive committee may authorize voting to fill precinct chair vacancies via mail or email. In any convention, except a Precinct Convention or a State Convention when organized in Congressional District Caucuses, any delegation present, upon request, shall be permitted to cast the number of votes equal to the number of delegates to which it is entitled on any item of business.
- b. A roll call vote shall be taken:
 - 1. when ordered by majority vote of the delegates at any convention, caucus, or meeting, or
 - 2. when demanded by one-fifth (1/5) of the participants at a Precinct Convention, or
 - 3. when demanded in writing by at least one-fifth (1/5) of the delegations from the precincts represented at a County or Senatorial District Convention, or
 - 4. when demanded in writing by at least one-fifth (1/5) of the delegations from the districts represented at a State Convention, or
 - 5. when demanded in writing by one-fifth (1/5) of the members in the case of a committee meeting, Party caucus, or
 - 6. when ordered by a Convention Chairman, or
 - 7. for final adoption of any SREC bylaws or standing rule, any amendment to an RPT rule, any item in the report of the resolutions committee, or other motion presented in the form of a resolution in a meeting of the SREC, except that this requirement may be waived for any individual motion by unanimous consent. The SREC secretary shall make the roll call vote available on the public portion

of the RPT website within ten (10) business days of the adjournment of the SREC meeting.

In the event of a roll call vote at a convention other than a precinct convention, each Delegation Chairman shall poll the delegation and shall announce the result when the delegation is reached. If any delegate doubts the correctness of the announcement, the Secretary of the meeting shall poll such delegation and announce the result.

Rule No. 8 – Supplementary Executive Committee Rules – Meetings

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- a. Compliance Required The SREC, each county executive committee, each district executive committee, and any committee or sub-committee created by any Bylaws or Rules adopted by same, shall comply with and be established in accordance with these Rules.
- b. Supplemental Rules Permitted The SREC elected at the biennial State Convention or a county executive committee elected in biennial primary election or a district executive committee created pursuant to the TEC or the bylaws of any political subdivision within the Party, may adopt supplemental rules or bylaws, provided however that such rules or bylaws do not conflict with any rules or bylaws of a higher authority including, but not limited to, these Rules. All such rules and bylaws shall be filed with the SREC and with the Secretary of State and are hereby adopted by reference.
- c. Organizational Meeting of the State Republican Executive Committee The SREC shall hold its organizational meeting after the adjournment of the biennial State Convention. The agenda of the organizational meeting shall include, but not be limited to the adoption of Bylaws and/or Rules for the biennium. SREC Bylaws or Rules shall always be amendable by a majority of the entire membership, subject only to adopted notice requirements.
- d. Organizational Meeting of a County Executive Committee A County Executive Committee shall hold its organizational meeting within forty-five (45) days after the term of office begins for the County Chairman and the Precinct Chairmen. (The term of office begins twenty (20) days after the Primary Runoff Election according to Subsection 171.022 (c) of the TEC.) The County Chairman shall be responsible for calling the meeting however, if the County Chairman does not call the meeting, then one-fourth (1/4) or 50 of the Precinct Chairmen whichever is fewer, may, by written demand, call an organizational meeting. Notice of the organizational meeting shall be mailed by USPS to the last known address of the members of the executive committee at least fourteen (14) days prior to the date of the meeting and such notice shall state the time, date, and location of the meeting and the names(s) of the person(s) issuing the call. The agenda of the organizational meeting shall include, but not be limited to, the swearing in of the newly elected executive committee members and the adoption of Bylaws and/or Rules for the biennium. The proposed Bylaws and/or Rules shall be sent out with the meeting call via USPS at least fourteen (14) days prior to the date of the meeting.
- e. Limitations on County Executive Committee Meetings No county executive committee meeting shall be held during the week of the biennial State Convention or the quadrennial National Convention.
- f. Open Meetings and Right to Testify All meetings of any State or County Executive Committee or its committees, subcommittees, or ad hoc committees shall be open to any member of that executive committee, and they shall have the right to appear before any

- such committee, subcommittee, or ad hoc committee and make recommendations for the committee's consideration or testify concerning any item under purview of the committee and to record the proceedings of any meeting not held in executive session with electronic devices. The committee may adopt reasonable rules including time limits for such presentations and may establish a reasonable limit of time for these presentations. This Rule does not preclude the committee from going into executive session; however, such executive session(s) shall be open to any member of the executive committee including ex-officio members.
- g. The County Chairman shall maintain a current list of the name, mailing address, phone number, email address (if available), and precinct number of every Republican Precinct Chair who was elected in the Primary, the Primary Runoff, or was appointed by the County Executive Committee to fill a Precinct Chair vacancy. The list shall be updated within seven (7) business days of an election changing the status of the list and shall be made available at reproduction costs or by email to any Republican Precinct Chair, Republican Party Official, Republican Elected Office Holder, or Republican Candidate for Elective Office of the county requesting such.
- h. Filling Vacancies on a County Executive Committee (Permanent State Executive Committee Rule) A county executive committee shall, by majority vote at its organizational meeting, adopt a bylaw and/or rule for filling vacancies on the County Executive Committee.
- i. County Chairman Abandonment of Office -- A County Chairman may be deemed to have abandoned the office by failing to perform statutory duties, failing to attend four (4) consecutive County Executive Committee Meetings, embezzling County Executive Committee funds, being convicted of election fraud, or other behavior designed to disgrace the Republican Party. A written demand signed by at least a majority of the Precinct Chairmen of a County Executive Committee shall be forwarded to the Officials Committee of the State Republican Executive Committee. If the Officials Committee finds that the complaint has merit, the Officials Committee shall conduct a hearing on the conduct of the County Chairman and shall forward a recommendation to the State Chairman for consideration under Texas Election Code section 171.029(c).

Rule No. 9 – Executive Committee Quorum

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- a. Non-Statutory Business and Filling Vacancies At County or District Executive Committee meetings, one-fourth (1/4) of the membership, excluding vacancies, shall constitute a quorum for conduct of non-statutory business. As provided by Section 171.024(c), TEC, the SREC has designated one-fourth (1/4) of the membership, excluding vacancies, or such greater percentage, not to exceed a majority of the membership, as may be specified in County Executive Committee Bylaws and/or Rules as the quorum for filling vacancies on County Executive Committees (Permanent State Executive Committee Rule). At SREC meetings, the quorum for conduct of non-statutory business shall be in accordance with the SREC Bylaws. If the quorum provided above is not present at any executive committee meeting, then only statutory business (called for by the TEC) may be transacted at a meeting.
- b. Statutory Business At SREC, County or District Executive Committee meetings, a quorum for conduct of statutory business (called for by the TEC) shall consist of those members present.

GENERAL RULES FOR ALL CONVENTIONS

Rule No. 10 – Supplementary Convention Rules

- a. Any convention may adopt temporary or permanent rules which supplement these Rules, as long as such supplemental rules do not conflict herewith.
- b. Any convention committee may adopt supplemental rules related to its proceedings provided that such rules do not conflict with these rules or any supplemental rules adopted by the convention.

Rule No. 11 – Convention Officials Listed – Challenge

- a. Convention Officials The officers of any convention, whether it be in temporary or permanent organization, shall consist of a Chairman, a Secretary, a Sergeant-at-Arms, and such other officers as the Chairman may deem necessary. The Secretary and the Sergeant-at-Arms shall have the power to appoint assistants. The permanent officers, except parliamentarian, shall be elected or appointed from among the convention delegates.
- b. Challenge Any officer or committee chairman of any convention, whether it be in temporary or permanent organization, who intentionally violates the Rules of the Republican Party of Texas or the directives of the TEC, shall be subject to a challenge filed under the provisions of Rule No. 27; and if such challenge is upheld by the Convention which hears the challenge, that officer or committee chairman shall be removed from serving as a delegate to any convention of the Party at any level throughout the year.

Rule No. 12 – Resolutions Authorized – No Unit Rule

Any convention may express its sense on an issue by adopting a resolution on that issue; however, the use of the unit rule (whereby the entire delegation votes as a unit not recognizing the minority votes within the delegation) or the practice of giving binding instructions to the delegates shall not be permitted at any level of the convention process.

Rule No. 13 – Convention Quorum – Adjournment

- a. Precinct Convention There shall be no quorum to convene or continue a Precinct Convention.
- b. County or Senatorial District Convention A quorum to convene a County or Senatorial District Convention shall consist of a majority of the delegates registered as attending. Thereafter, a quorum shall be considered present as long as:
 - 1. The number of votes represented by delegates in attendance comprises more than fifty percent (50%) of the total voting strength of the Convention;
 - 2. A majority of the seated precincts are present; and
 - 3. One-third (1/3) of the seated delegates are present.
- c. State Convention A quorum to convene the State Convention shall consist of a majority of the delegates registered as attending. Thereafter, a quorum shall be considered present as long as:
 - 1. The number of votes represented by delegates in attendance comprises more than fifty percent (50%) of the total voting strength of the Convention;
 - 2. A majority of the seated districts are present; and

- 3. One-third (1/3) of the seated delegates are present.
- d. Adjournment In order to adjourn a convention for lack of a quorum, the Chair shall verify the absence of a quorum, using the aforementioned criteria, and such verification shall be made part of the convention minutes.
- e. No guorum shall be required for consideration of the report of a nominations committee or for the election of delegates and alternates.
- f. A convention by majority vote may adopt rules to utilize an electronic system for determining which delegates and alternates are present.

Rule No. 14 – Open Meeting and Right to Testify

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- a. All meetings of any committee or subcommittee of any convention, whether it be in temporary or permanent organization, shall be open to any delegate or alternate to that convention, any State or County Republican Party Officer, any elected Republican Public Officeholder, or any Republican Candidate. These same people shall have the right to appear before any convention committee or subcommittee and make recommendations for the committee's consideration or testify concerning any item under purview of the committee and to record the proceedings with electronic devices. The committee may adopt reasonable rules including time limits for such presentations and may establish a reasonable limit of time for these presentations. This privilege shall include delegates and alternates under challenge at any convention pursuant to Rule No. 35. Nothing in this Rule shall be construed as to prohibit individual committee members, whether they be in temporary or permanent organization, from communicating with one another about business to come before their committee, in any manner they choose, prior to the convening of their first committee meeting or at any other time outside of their official committee meeting or meetings. Notice of any meetings of any temporary committee or subcommittee of any County or Senatorial District Convention shall be posted on the website of the county party, if any, one (1) day prior to the date of the meeting. If the notice is not posted as prescribed, the committee can only convene on the day of the convention.
- b. An official video recording may be made of all general sessions and any meetings of any committee of the State Convention, whether it be in temporary or permanent organization.

Rule No. 15 – Identification Required

Any person present at any convention must identify himself when requested to do so by any Sergeant-at-Arms or any other officer of the convention.

Rule No. 15A – Distribution of Literature

Literature may be freely distributed in the delegate and alternate seating areas of any State or 40 County/Senatorial District Convention or Caucus, provided that the items being distributed 42 display the name of the person and/or organization represented. Any such literature distributed without the name of the person and/or organization represented shall be removed. 43

Rule No. 16 – Previous Question

- a. Previous Question At any convention, when the previous question has been moved and seconded and is sustained by a majority vote, the question shall be deemed to have been called and a vote shall occur upon the pending question, except as provided in Section b of this Rule.
- b. Exception At any convention, a motion to move the previous question or to close nomination concerning any election, including the election of delegates and alternates, shall not be in order until there has been reasonable opportunity for additional nominations, debate and/or amendment.
- c. State Convention Committees -- Any State Convention committee or subcommittee may by a two-thirds (2/3) vote adopt a rule allowing the motion for the previous question.

Rule No. 17 – Debate

- a. Main Motions No delegate shall speak more than five (5) minutes on a main motion without the general consent of the Convention, nor shall a delegate speak more than once on the same motion without general consent.
- b. Amendments and Secondary Motions No delegate shall speak more than three (3) minutes on any amendment or debatable motion subsequently made while a main motion is pending without the general consent of the Convention; nor shall a delegate speak more than once on the same motion without general consent.
- c. Committee Reports The delegate making the committee report and the delegate making the minority report of any convention committee may speak on such report for up to ten (10) minutes, and may then answer legitimate questions asked by any delegate relating to such report.
- d. Limiting Debate Any Convention, by majority vote, may limit or extend equally the time and the number of speakers for each side of a debatable motion.

Rule No. 18 – Voting Strength – Number of Delegates

The Convention will continue to enjoy its full strength in the cases of preceding Conventions not electing all delegates to which it is entitled. No Convention shall elect fractional delegates; i.e. no Convention shall elect more delegates or alternates than the number to which it is entitled.

Rule No. 18A – No Amendments after Adjournment

The minutes of any precinct, county, or senatorial district convention may not be amended to add any delegate or alternate, or strike any elected delegate or alternate after adjournment of that convention.

GENERAL RULES FOR PRECINCT CONVENTIONS

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Rule No. 19 – Date, Time and Place for Precinct Conventions (Permanent State Executive Committee Rule)

On or after the day of the General Primary Election for each even numbered year, Precinct Conventions shall be held for each precinct at the date, time and place designated by the County Executive Committee or, in its failure to act, the County Chairman; provided that the place of such convention shall be large enough to accommodate the expected number of participants and must meet the same requirements for access by the elderly and persons with physical disabilities as a polling place.

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Rule No. 20 – Qualifications for Participation

The only qualifications for participation in a Precinct Convention, being an officer of such convention or being elected a delegate to the County, Senatorial District, or State Conventions shall be that the person must be a registered voter of that precinct or a resident of that precinct who is eligible to vote a limited ballot and shall have established Party affiliation. Party affiliation may be established by voting in the Republican General Primary or by other means as prescribed by law, provided the person has not been disqualified under this Rule or Rule No. 11. A person who wishes to serve as a delegate or alternate must have fulfilled the requirement of Party affiliation at the time of election. For the purposes of participation in a convention, a person's residence as indicated by their current voter registration certificate or electronic records provided by their county voter registrar, is determinative. A person's residence for the purpose of conventions in a particular year is fixed as of the date of the General Primary Election, even if the person subsequently moves to a different precinct or district. A Precinct Chairman, or person acting in the absence of the Precinct Chairman, who convenes the Precinct Convention earlier than the hour determined by the county executive committee shall be subject to challenge by any Republican General Primary voter in the precinct through the method outlined in Rule No. 27; and if the challenge is upheld by the County or Senatorial District Convention, such person shall be removed from serving as a delegate or alternate to any convention at any level throughout the remainder of the year. Children whose parents or guardians are participants in a Precinct Convention may attend the convention if space permits, but may not participate or disrupt.

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Rule No. 21 – Agenda for Precinct Conventions

The agenda for each Precinct Convention shall include the following order of business:

- a. Call to order at the appointed hour by the Precinct Chairman or other participant if the Precinct Chairman is not present.
- b. Preparation of a list of and announcement of number of qualified participants present.
- c. Announcement of agenda and basic rules of procedure.
- d. Election of the permanent officers of the convention by majority vote.
- e. Announcement of County or District Convention and of temporary committee meetings, if known.
- f. Election of delegates and alternates to County or Senatorial District Convention, as the case may be, by majority vote, and certification of eligibility of each delegate and alternate by the Precinct Convention Secretary, where the primary voters list is available.
- g. Resolutions.

- h. Other business.
- i. Adjourn.

Rule No. 22 – Chairman's Responsibilities

- a. Written or Electronic Records The Permanent Chairman of the Precinct Convention shall be responsible for seeing that an accurate written or electronic record is prepared of all convention proceedings, including:
 - 1. The minutes of the Precinct Convention.
 - 2. The list of participants and their residence addresses and towns.
 - 3. The list of delegates and alternates elected to the County or Senatorial District Convention with residence addresses and towns.
 - 4. All resolutions, adopted or not adopted.
- b. Inspection of Records The written record shall be signed by the Permanent Chairman of the Precinct Convention and made available for inspection and additional copying by any participant in the convention for a period of thirty (30) minutes immediately following adjournment of the convention. Upon request, the Permanent Chairman shall certify any correct copy with his or her signature.
- c. Transmittal of Records The Permanent Chairman of the Precinct Convention shall safely transmit to the County Chairman the written or electronic record of all convention proceedings, and one (1) copy of the same. Transmittal may be:
 - 1. Electronic, delivered to the County Chairman's electronic mail address or other website designated by the County Chairman for this purpose, not later than the third (3rd) day after the date of the Precinct Convention if not held on the same day or day immediately preceding the County or Senatorial District Convention. If the Precinct Convention is held on the same day or the day immediately preceding the County or Senatorial District Convention, the Permanent Chairman shall deliver the record within thirty (30) minutes of adjournment of the Precinct Convention.
 - 2. By mail, deposited in the mail not later than the second (2nd) day after the date of the Precinct Convention if not held on the same day or day immediately preceding the County or Senatorial District Convention, or
 - 3. In person, delivered not later than the third (3rd) day after the date of the Precinct Convention if not held on the same day or day immediately preceding the County or Senatorial District Convention. If the Precinct Convention is held on the same day or the day immediately preceding the County or Senatorial District Convention, the Permanent Chairman shall deliver the record within thirty (30) minutes of adjournment of the Precinct Convention.

In counties that do not hold Precinct Conventions on the same day of, or the day immediately preceding, the County or Senatorial District Convention, and contain multiple Senatorial Districts, the County Chairman shall deliver the original records of each Precinct Convention to the Temporary Chairman of the Senatorial District Conventions not later than the sixth (6th) day after the date of the Precinct Convention. The County Chairman shall deliver any records subsequently received from a Precinct Convention within two (2) business days after receipt.

- d. Preservation of Records The Permanent Chairman of the Precinct Convention shall preserve a copy of the written or electronic record, which is not a public record, until the end of the voting year.
- 4 The County Chairman shall preserve a paper or electronic copy of the written records of each
- 5 Precinct Convention until the end of the voting year. The copies are a public record, and shall be
- 6 available for inspection. The County Chairman shall schedule a reasonable time and place for
 - review of the records to occur within seven (7) days of receipt of a written request.

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GENERAL RULES FOR COUNTY, SENATORIAL, DISTRICT AND STATE **CONVENTIONS**

Rule No. 23 – Convention Resolutions

At any convention other than a Precinct Convention, all resolutions including those offered by delegates for consideration by the Convention shall be filed with the Secretary of the Convention not later than thirty (30) minutes after the Permanent Committee on Platform and Resolutions is appointed and shall automatically and without debate be referred by the Secretary of the Convention to the Committee on Platform and Resolutions or other committee appropriate to the subject for consideration and report. The Secretary of the Convention shall remain available in a publicly announced location easily accessible from the convention floor during the period in which such resolutions can be filed. All resolutions adopted by the next lower level convention shall be considered by the Temporary Platform and Resolutions Committee of the next higher level convention. A Temporary or Permanent Resolutions Committee may originate resolutions.

Rule No. 23A – Delegate Allocations and Entitlements

- a. The delegate and alternate entitlements to the County or Senatorial District and State Conventions shall be based on the number of votes cast for the Party's gubernatorial candidate in the most recent gubernatorial general election.
 - 1. Each Precinct Convention shall be entitled to elect one delegate and one alternate to the County or Senatorial District Convention based on a ratio of one (1) for each twenty-five (25) votes and major fraction thereof within the boundaries of the voting precinct and further shown in more detail on the following table. provided that any Precinct Convention shall be entitled to elect at least one (1) delegate and one (1) alternate:

Votes	Delegates	Alternates
0-37	1	1
38-62	2	2
63-87	3	3
88-112	4	4
113-137	5	5
etc.	etc.	etc.

2. Each County or Senatorial District Convention shall be entitled to elect one (1) delegate and one (1) alternate to the State Convention based on a ratio of one (1) for each 300 votes and major fraction thereof within the boundaries of the County or Senatorial District and further shown in more detail on the following table, provided that any County or Senatorial District Convention shall be entitled to elect at least two (2) delegates and two (2) alternates:

Votes	Delegates	Alternates
0-750	2	2
751-1050	3	3
1051-1350	4	4
1351-1650	5	5
etc.	etc.	etc.

- 3. Each Precinct and County or Senatorial District Convention delegate and alternate delegate entitlement to the State Convention shall be increased or decreased proportionately among all delegations to achieve a State Convention potential delegate and alternate delegate roll of no less than 7,500 delegates and 7,500 alternate delegates and no more than 9,000 delegates and 9,000 alternate delegates to the State Convention.
- b. At the option of the local County Executive Committee (in counties containing only one senatorial district), Senatorial District Executive Committee (in a district comprising only a part of a single county), or the precinct chairs of the precincts residing in a particular senatorial district (for a county that is only partly situated in a senatorial district) by a two-thirds (2/3) vote of said committee, held no later than the date specified in the TEC for the required drawing for a place on the general primary ballot, the delegate entitlement may be changed to a ratio of one (1) to forty (40) and major fraction thereof, or any ratio in between one (1) to twenty-five (25) and one (1) to forty (40), for that year only if said committee can justify among their peers that it is impractical due to size or availability of space to use the formula permitting the maximum number.
- c. The delegate and alternate entitlement in a presidential election year for a County or Senatorial District Convention which includes more than one (1) Congressional District shall be apportioned among the Congressional Districts in the same manner they are apportioned to the County or Senatorial Districts, provided that the total delegate and alternate entitlement from the County or Senatorial District does not exceed that provided for in this Rule. If the calculation of delegate and alternate entitlements by Congressional District are different from the calculation of delegate and alternate entitlements by County or Senatorial District, the following guidelines shall be used in adjusting the total delegate/alternate entitlements:
 - 1. The delegate and alternate totals shall not be greater than the delegate/alternate calculation for the County or Senatorial District except that any Congressional District shall be entitled to elect at least one (1) delegate and one (1) alternate which may cause the delegate/alternate entitlement for a County or Senatorial District to exceed the total entitlement for the County or Senatorial District by the number of delegates and alternates from one (1) or more Congressional Districts with less than enough votes to get an entitlement of greater than one (1) pursuant to Section a of this Rule, in a presidential election year;
 - 2. Except as provided in Subsection 1 above, if the calculation for delegates and alternates by Congressional District should exceed the number of delegates and alternates by Senatorial District, then the delegate and alternate entitlement to the Congressional District shall be reduced beginning with the smallest fraction, then continuing to the next higher fraction until the calculations are equal;
 - 3. If the calculation for delegates and alternates by Senatorial District should exceed the number of delegates and alternates by Congressional District, then the delegate and alternate entitlement to the Congressional District shall be increased beginning with the highest fraction, then continuing to the next lower fraction until the calculations are equal:
 - 4. In a presidential election year, each delegate and each alternate shall have credentials for both the Senatorial District and the Congressional District

- Caucuses and if a delegate or alternate is not credentialed for both, the delegate or alternate shall not be credentialed for either.
- d. In the event of boundary changes among precincts or districts, or the creation or deletion of precincts or districts since the most recent gubernatorial election, the following rules shall govern the allocation of gubernatorial votes to the changed or newly created precincts or districts.
 - 1. The apportionment of gubernatorial votes to the newly created or changed precincts or districts shall be made using any fair and equitable method for making such determination.
 - 2. The County Executive Committee shall apportion to each precinct the number of votes to be used in allocating the number of delegates and alternates which may be elected by such precincts using any fair and equitable method for making the determination.
 - 3. When the boundaries of a Senatorial District or Congressional District have changed or a new district formed causing a boundary change in an election precinct, the apportionment of gubernatorial votes to each precinct shall be used in allocating the number of delegates to be elected in each affected district.
 - 4. If the County Executive Committee fails to act before the first (1st) day of candidate filing for a place on the General Primary ballot for public office, the SREC shall make such apportionment of the gubernatorial vote to precincts.

Rule No. 24 – Minority Reports of Committees

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 At any convention other than a Precinct Convention, a minority report of a committee, shall be presented to the Convention, if a committee member has notified the committee chairman of the intent to file a minority report before the committee adjourns, and if it has been reduced to writing and signed by not less than two (2) or twenty percent (20%) of the members of such committee, whichever is greater, and presented to the chairman of the committee or the convention secretary no longer than thirty (30) minutes after the committee adjourns. The committee member who presents the minority report to the Convention shall be permitted to move the implementing motion.

Rule No. 25 – Persons Admitted and Who May Address

- a. Admittance At any convention other than a Precinct Convention, there shall be admitted to the convention floor only delegates whose names are listed on the temporary roll during the temporary organization or on the permanent roll when adopted by the Convention, past State Chairmen and Vice Chairmen, the present members of the SREC, its officers and employees, the National Committeeman and Committeewoman, past National Committeemen and Committeewomen, properly accredited members of the media, babies of nursing mothers who are delegates, Republican public officeholders, Republican candidates for public office, and persons assisting delegates that have physical disabilities.
- b. Badges The Secretary of the Convention is instructed to issue identification badges in accordance with the above, and the Sergeants-at-Arms shall admit only authorized persons to the convention floor. Seating shall be provided for alternates in the section(s) designated for guests.

- c. Addressing Convention At any convention other than a Precinct Convention, no person other than a Republican Party of Texas official, member of the SREC, or delegate shall address the Convention or Caucus of the convention without the permission of the Chairman or the general consent of the Convention or Caucus of the convention.
 - d. At any convention, registration and credentialing shall continue through adjournment.

Rule No. 26 – Seating of Alternates at Any Convention Other Than a Precinct Convention

- a. Order of Seating Alternates Alternates shall be seated for absent delegates in the order listed in the minutes of the convention electing them; however, if instructions are provided by the Convention electing such alternates, said instructions shall be followed in the seating of alternates.
- b. Voting in Caucuses Alternates shall be admitted to all district or precinct caucuses; however, they shall not vote or be provided any privileges of a delegate unless seated for an absent delegate.
- c. Limitations on Using Alternates Alternates shall replace delegates absent from the voting floor only from the same convention electing such alternates.
- d. Timing of Seating Alternates may be seated to replace absent delegates at any time in a convention by the chairman of a delegation and seated alternates shall relinquish their seat upon the return to the floor by the delegate except that:
 - 1. Alternates shall be seated to replace delegates absent from the voting floor prior to the beginning of any vote and shall not be seated or unseated during any vote.
 - 2. In caucuses, alternates shall be seated to replace delegates absent from the voting floor prior to roll call of the caucus or delegation of the caucus and shall not be seated or unseated during the roll call of the caucus or delegation of the caucus.
 - 3. Alternates under challenge pursuant to Rule No. 27 shall not be seated until the challenge is resolved.

Rule No. 27 – Challenges to Credentials of Delegates

- a. County or Senatorial District Conventions The credentials of any delegate or alternate to a County or Senatorial District Convention may be challenged by any person who voted in the Republican General Primary and who resides in the same precinct as the challenged delegate by mailing to the County or District Convention Chairman a written challenge specifying the grounds for the challenge and detailing the specific Rule or Rules alleged to have been violated. The challenge shall be sent via certified or registered mail at least three (3) days before the date of the convention. A copy of this challenge shall be sent by certified or registered mail by the person initiating the challenge to the challenged delegate(s) or alternate(s). The County or District Convention Chairman shall send all challenges to the chairman of the Temporary Committee on Credentials of the convention in question.
- b. State Convention

1. Filing of Challenge – The credentials of any delegate or alternate to the State Convention may be challenged by any person who voted in the Republican General Primary and who resides in the same County and Senatorial District as the challenged delegate or alternate by sending to the State Chairman and to each challenged delegate or alternate a written challenge specifying the grounds for the challenge and detailing the specific Rule or Rules alleged to have been violated.

A challenge must include the number of the rule alleged to have been violated and the specific facts supporting the challenge based on a violation of that rule. A challenge must also identify any allegations of fact and identify those alleged facts not personally known to the complainant. A challenge should use simple, concise, and direct statements. The challenge shall be sent via certified return receipt or registered mail no later than thirty (30) days following the date of the county or Senatorial District Convention. The State Chairman shall deliver all such challenges to the Officials Committee of the SREC (as constituted in the bylaws of the SREC, Article VII, Section 8). The names of the members of the SREC Officials Committee shall be posted on the website of the Republican Party of Texas.

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- 2. Officials Committee Without attempting to assess merit or lack of merit, the Officials Committee shall in open session without taking testimony conduct a preliminary review of each challenge in order to establish whether the basis for the challenge is valid under the Rules of the Republican Party of Texas. Both the person filing a challenge and the delegate or alternate challenged shall be notified of the date and time of the Officials Committee meeting in which the challenge is heard. The Officials Committee shall forward to the Temporary Committee on Credentials all challenges meeting the requirements of Party Rules with regard to form, content, and procedure. Any challenge not meeting these requirements shall not be forwarded to the Temporary Committee on Credentials, and the principal(s) who brought such challenge and the principal(s) against whom the challenge was brought shall be promptly notified by certified return receipt or registered mail. The Credentials Committee shall not hear a late challenge of a delegate or alternate.
- 3. Appeal A decision of the Officials Committee may be appealed by either party to the Temporary Committee on Credentials by mailing notice of appeal via certified return receipt or registered mail to the Credentials Committee Chairman and to the principal(s) named in the challenge no later than ten (10) days prior to the date that the State Convention holds its first (1st) general session.
- c. Status of Challenged Delegate No delegate whose credentials are challenged shall lose the eligibility to serve on a temporary committee, although the challenged delegate may not vote in the Credentials Committee on his or her own challenge.
- d. Committee on Credentials Procedure At any convention other than a Precinct Convention, the Temporary Committee on Credentials, when it convenes, shall hear both sides of the challenge and shall report to the Convention the name of each delegate or alternate it believes to be entitled to participate in the convention. The Convention shall vote on the report of the Committee on Credentials on each challenge that is made. Challenged delegates shall be listed on the Temporary Roll, but may not vote on their own challenge. Furthermore, delegates from delegations that are being challenged may not be seated until the challenge is resolved.

Rule No. 27A – Date, Time and Place for County and Senatorial District Conventions (Permanent State Executive Committee Rule)

County and Senatorial District Conventions shall be held on the third Saturday after general primary election day. However, if that date occurs during Passover or on the day following

Good Friday, the conventions shall be held on the next Saturday that does not occur during Passover or is not the day following Good Friday. The County Executive Committee in each county shall set the hour and place for convening County and Senatorial District Conventions in that county.

Rule No. 28 - Conventions in County with Multiple Senatorial Districts

If a county is situated in more than one state Senatorial District, instead of a County Convention, a Senatorial District Convention shall be held in each part of the county that is situated in a different Senatorial District, provided, however, that shared facilities may be utilized for separate Senatorial District Conventions that may be held outside the geographical boundaries of the Senatorial District, if party interests and public accessibility will be served as determined by a caucus of precinct chairmen in each affected Senatorial District within the county no later than the date on which drawing for a position on the primary ballot is conducted. A meeting for this purpose shall have been called by written notice to each precinct chairman in each respective Senatorial District within the county from the County Chairman no later than ten (10) days prior to the meeting.

Rule No. 29 - County or Senatorial District Convention Committees

- a. Prior to each County or Senatorial District Convention, the Temporary Chairman shall appoint the following committees and name the chairmen thereof, provided that all members shall be delegates, and if the convention has more than fifty (50) delegates each such committee shall be composed of at least five (5) and not more than fifteen (15) delegates. The committees and their duties shall be as follows:
 - 1. Credentials: This committee shall hear any contest concerning delegates and shall recommend the Permanent Roll of the Convention.
 - 2. Rules: This committee shall recommend the Supplemental Rules for the Convention.
 - 3. Permanent Organization: This committee shall recommend permanent officers of the convention from among the delegates present.
 - 4. Resolutions: This committee shall conduct preliminary deliberations for the purpose of making recommendations to the Permanent Resolutions Committee.
 - 5. Nominations: This committee shall conduct preliminary deliberations for the purpose of making recommendations to the Permanent Nominations Committee.
- b. The Temporary Convention Chairman shall make available at the Chairman's podium, at the start of the convention, no fewer than five (5) copies of the Temporary Rules Committee report and no fewer than five (5) copies of the Temporary Resolutions Committee report, and announce they may be inspected by any delegate or alternate to the convention.
- c. Immediately upon the election of the Permanent Chairman, the Permanent Chairman shall appoint the following Permanent Committees from among the delegates, whose duties shall be as stated below, and the chairmen thereof, provided that if the convention has more than twenty-five (25) delegates, each such committee shall be composed of at least five (5) and not more than fifteen (15) delegates. The committees and their duties shall be as follows:
 - 1. Nominations: This committee shall present nominations for delegates and

- alternates to the State Convention, after considering the recommendations of the Temporary Nominations Committee.
 - 2. Resolutions: This committee shall recommend resolutions to the Convention, after considering the recommendations of the Temporary Resolutions Committee.

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Rule No. 30 – County or Senatorial District Convention Agenda

The agenda for each County or Senatorial District Convention shall include the following order of business.

- a. Call to order by the Temporary Chairman.
- b. Roll call of temporary roll of delegates. (Roll call may be taken by name or by Precinct Delegation count. The delegate registration list may be used at the start of the convention to establish the temporary roll and a quorum for the convention, when approved by a majority voice vote of the delegates present. Delegates must provide proper identification upon registration to obtain their credentials, if this method is to be used.) At the conclusion of roll call the Secretary shall announce:
 - 1. the number of delegations present;
 - 2. the combined voting strength of those delegations; and
 - 3. the number of attending delegates at the start of convention.
- c. Report of the Credentials Committee (this report shall be acted on prior to any further business).
- d. Report of the Rules Committee; adoption of supplemental rules.
- e. Report of the Permanent Organization Committee; election of permanent officers from among the delegates.
- f. Appointment of Permanent Nominations and Permanent Resolutions Committees.
- g. Precinct Caucuses, if applicable.
- h. Report of the Resolutions Committee; adoption of the report.
- i. Report of the Nominations Committee; adoption of the report.
- j. Other business.
 - k. Adjourn.

Provided, however, that such order of business, following item (c) may be changed by affirmative vote of a majority of the delegates present and voting.

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Rule No. 31 – Report of Nominations Committee

- At a County or Senatorial District Convention, the Committee on Nominations shall present a
- report including a list of delegates and alternates for election to the State Convention and the
- Nominations Committee shall designate the manner in which alternates shall replace absent
- delegates. That report may be amended by the Convention by the process of adding, or by
- striking and inserting, or by substitution. The Convention shall then elect the delegates and
- 39 alternates to the State Convention by adopting the report, or the report as amended, of the
- 40 Nominations Committee. The Convention may provide in its supplemental rules a method for
- 41 nominating some or all delegates and alternates in precinct caucuses of the Convention.
- Delegates and alternates nominated by precinct caucuses shall be reported to the Committee on
- Nominations to include in their report, and unless provided otherwise in the Convention
- supplemental rules, these nominations shall not be subject to amendment by the Committee,
- except to move an alternate to a delegate. In the absence of provisions for nomination of some
- or all delegates or alternates in precinct caucuses in the supplemental rules, all delegates and

alternates will be elected at large.

Rule No. 32 – Certified List of Delegates

Delegates and alternates to the Republican State Convention shall be made aware, at the time they submit their names, that any contact information provided may be disclosed in accordance with the following:

- a. The Permanent Chairman of a County or Senatorial District Convention shall be responsible for making a certified list of the delegates and alternates chosen, with residence addresses including towns shown thereon, phone number (if available), and email address (if available), together with a copy of all resolutions adopted by the Convention, and shall sign the same, the Permanent Secretary of such convention attesting the signature of the Permanent Chairman; and within five (5) days after the convention shall forward such certified lists and resolutions to the State Chairman at the Republican Party of Texas State Headquarters. The lists, resolutions and other records of the convention, only to the extent required by law, shall be made available by the Permanent Chairman for inspection and copying during office hours, at a charge not to exceed \$1.00 per page, or by electronic means when such method is available at a charge not to exceed \$10.00.
- b. All Republican Party of Texas party officeholders, candidates for party office, State Convention Caucus Chairs, Committee Chairs, and State Convention temporary caucus chairs shall be given a list of delegates and alternates, who have positively affirmed that they wish to share information with the Republican Party of Texas with all contact information for their political subdivision from the Republican Party of Texas as soon as they are available.

GENERAL RULES FOR STATE CONVENTIONS

Rule No. 33 – Temporary Organization

- a. Date, Time, Place and Call. The SREC shall select the date, time and place of the State Convention, and the State Chairman shall include this information along with the date and place of temporary committee meetings in the call to the convention, which shall be posted on the website of the Republican Party of Texas (http://www.texasgop.org) at least thirty (30) days prior to the Convention. The State Chairman shall send the call via electronic mail twenty-five (25) days prior to the convention to each delegate and alternate on the temporary roll who has a valid email address on file with the Republican Party of Texas. All delegates and alternates who do not have a valid email address on file shall be mailed a copy of the call not less than fifteen (15) days prior to the convention. The State Chairman shall recommend the temporary convention agenda and order of business to the SREC.
- b. Temporary Committees. Within twenty (20) days following the County/Senatorial District Conventions, the two (2) SREC members representing each Senatorial District, either separately or jointly, shall recommend to the State Chairman one (1) representative from among their district's delegates to each of the State Convention temporary committees. The State Chairman shall appoint one (1) delegate from each Senatorial District to each of these committees from among these recommendations timely submitted, or of the State Chairman's own choosing if no names were submitted, or none were eligible or willing to serve.
 - In addition to these members, the State Chairman shall appoint the Chairman for each temporary committee. These lists of members and Chairmen, including contact information, shall be posted on the Republican Party of Texas' website within thirty (30) days following the County or Senatorial District Conventions. The lists will be updated as new or corrected information is obtained. The temporary committees are:
 - 1. Credentials: This committee shall hear any contests concerning delegates and alternates which were not filed as challenges and shall recommend the resolution of such contests, plus the temporary roll about which there is no contest, to the SREC. Additionally, this committee shall hear all challenges forwarded to it by the State Officials Committee, plus any challenge under appeal, and shall recommend the resolution thereof to the State Convention. Upon resolution by the State Convention of any challenges under this appeal process, this committee shall recommend the permanent roll to the State Convention.
 - 2. Organization: This committee shall recommend the temporary organization of the convention to the SREC. The State Chairman shall be the Temporary Chairman of the biennial State Convention. The officers of each State Convention shall include a registered parliamentarian appointed by the State Chairman. This committee shall also recommend the permanent organization to the State Convention after the State Convention's adoption of the permanent roll. The election of a permanent convention chairman shall not be in order until a majority of those delegates elected at County or Senatorial District Conventions have registered in attendance at the State Convention. For the purposes of this section, alternates seated as delegates shall be counted as delegates.

- 3. Rules: This committee shall recommend the Supplementary Rules for the Convention to the SREC and may recommend changes in these General Rules to the Permanent Committee on Rules.
- 4. Legislative Priorities: This committee shall conduct the preliminary deliberations for the purpose of making recommendations to the Permanent Committee on Legislative Priorities.
- 5. Platform and Resolutions: This committee shall conduct the preliminary deliberations for the purpose of making recommendations to the Permanent Committee on the Platform and Resolutions. The Platform and Resolutions Committee shall begin deliberations preparing the platform of the state convention by starting with the most recent state convention platform.
- 6. SREC Pre-convention Meeting. Prior to the convention, the SREC shall approve the following:
 - 1. The Temporary Roll of the Convention, excluding those challenges, if any, to be resolved by the Convention as provided in Rule No. 27.
 - 2. The temporary Supplemental Rules of the Convention, which together with these General Rules shall be the Temporary Rules of the Convention.
 - 3. The temporary agenda and order of business of the convention.
 - 4. The temporary organization of the convention.
- 7. Temporary Caucus Chairmen. Prior to each State Convention in Presidential election years the State Chairman shall appoint the Temporary Chairman of each Congressional District Caucus. Prior to each State Convention, the two (2) members from each Senatorial District of the SREC shall appoint one (1) representative from among their Senatorial District's delegates to be the Temporary Chairman in each Senatorial District Caucus; provided, however, that if requested in writing by Senatorial District Convention resolution, the State Chairman shall appoint the Permanent Chairman of the last Senatorial District Convention for those Senatorial Districts which lie solely within one (1) county, unless the Permanent Chairman is unable or unwilling to serve. If the two (2) SREC members cannot agree on a selection, then each shall submit a name to the State Chairman, who will select one (1) of the names submitted. If any appointed delegate is unable to serve, the State Chairman may appoint a replacement.

Rule No. 34 – Permanent Committees and Composition

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At each biennial State Convention, the membership of each permanent committee listed below shall be composed of one (1) delegate from each Senatorial District, to be elected by caucus of the delegates in each such district, plus the Chairman thereof, to be appointed by the State Chairman. If there is a temporary committee specified in these Rules corresponding to a permanent committee in this Rule, the scope of the permanent committee is not limited to what was considered by, voted upon, or recommended by the temporary committee counterpart. Such permanent committees shall be as follows:

- A. Credentials: This committee shall continue to add registered delegates and alternates to the permanent roll throughout the convention.
- B. Rules and Order of Business: This committee shall recommend to the Convention the Supplementary Rules of the Convention, any amendments to these General Rules, and the Order of Business.

- C. Legislative Priorities: This committee shall recommend to the Convention proposed legislative priorities and related resolutions.
 - The Legislative Priorities Committee of the biennial State Convention shall prepare a list of no more than five (5) resolutions defining legislative priorities for the Republican Party of Texas for the session of the Texas Legislature following the Convention. The SREC may adopt up to an additional three (3) legislative priorities. Legislative priorities shall be for specific changes, additions to or deletions from the law that directly support the Platform and the core values of the Republican Party of Texas. The SREC shall expend reasonable Party resources to promote passage of legislation crafted in support of these priorities.
 - D. Platform and Resolutions: This committee shall recommend to the Convention the platform and resolutions.
 - E. State Nominations: This committee shall report to the Convention nominations for the state positions to be filled by the Convention.

Rule No. 34A – National Nominations Committee

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- 17 At the biennial State Convention in presidential election years, there shall also be a permanent
- National Nominations Committee composed of one (1) delegate from each Congressional
- District, to be elected by caucus of the delegates in each such district, plus the chairman thereof,
- 20 to be appointed by the State Chairman. The Chairman of the permanent National Nominations
- 21 Committee shall convene the meeting of the committee two (2) hours after the start of the
- 22 Congressional Caucus with a quorum being present. This committee shall report to the
- 23 Convention nominations for National Delegates and Alternates, Presidential Electors, and
- National Committeeman and National Committeewoman, which nominations have previously
- been made in accordance with Rule Nos. 39 and 40, and Sections 6 and 7 of Rule No. 38.

Rule No. 35 – Temporary Committee on Credentials – Contest

- At a State Convention, any delegate or alternate who has filed a challenge or who has been
- 29 challenged including delegates and alternates whose names are not listed on the Temporary Roll
- of the Convention, but are listed on County or Senatorial District Convention Minutes and
- Returns filed with the State Chairman shall be allowed admittance to the room in which the
- 32 Temporary Committee on Credentials holds its meetings for the purpose of presenting a contest
- and may speak to the merits of their case within the time limits established by the committee.
- The contestants from only one (1) County or Senatorial District shall be admitted at one (1) time.
- Any contest will be reported by the Credentials Committee to the SREC, with a recommendation
- as to its resolution, and the decision of the SREC will be final in determining its effect on the
- 37 Temporary Roll of the Convention. If the contest is filed as a challenge, in accordance with
- provisions of Rule No. 27, the issue will be presented by the Credentials Committee with a
- recommendation for its resolution, to the full Convention for final determination.

Rule No. 36 – Seating and Voting

- Seating and voting at the biennial State Convention shall be by Congressional District or
- 43 Senatorial District as appropriate.
- 45 **Rule No. 37** Is intentionally blank.

Rule No. 38 – National Convention Delegates and Alternates

Section 1. Presidential Primary, Application of Rule

- a. Presidential Primary: A Presidential Primary election shall be conducted by the Republican Party in the year 1980 and every fourth year thereafter in conjunction with the Party's General Primary Election for the purpose of permitting the qualified voters of Texas to express their respective preferences as to the nominee of the Republican Party to the office of President of the United States.
- b. Application of Rule: Such Presidential Primary shall be held, and the delegates and alternates to the National Convention for that year shall be selected and elected, in the manner and at the times set forth in this Rule.

Section 2. Method of Qualifying as Presidential Candidate

- a. Filing: Any person eligible to hold the office of President of the United States may qualify to participate as a Presidential candidate in the presidential primary by filing with the State Chairman, not later than the date and time specified for the General Primary Election ballot filing deadline in Section 172.023(a), TEC, a signed and acknowledged application for his or her name to be placed on the Presidential Primary ballot, accompanied by a supporting petition signed by a minimum of 300 registered voters of the state from each of a minimum of fifteen (15) Congressional Districts, or the payment of a filing fee of \$5,000.
- b. Signing Petition: A voter may sign only one (1) petition supporting one (1) candidate for President and may sign that petition only one (1) time. The name of any voter violating this provision shall be stricken from all petitions signed by that voter and shall not be counted for any purpose.
- c. Form of Petition: The SREC shall prescribe the form of all applications and petitions which are to be filed pursuant to this section and may by resolution provide for a method of verification of the petitions required here.
- d. Withdrawal or Death of Candidate: A Presidential candidate may withdraw from participation in the Presidential Primary at any time by filing with the Secretary of the SREC a signed and acknowledged request to that effect. If a Presidential candidate dies or withdraws before the seventy-ninth (79th) day prior to Election Day, the name of the candidate shall not appear on the ballot. If a candidate dies or withdraws during the seventy-nine (79) days before Primary Election Day, the votes cast for that candidate shall be counted and the delegate and alternates, if any, allocable to that candidate under this Rule shall be elected by the appropriate Congressional District Caucus from any qualified persons and they shall be uncommitted delegates and alternates.
- e. Replacement of Delegates of Withdrawn or Deceased Candidate: If a Presidential candidate withdraws or dies during the time between Primary Election Day and the convening of the State Convention, then any delegates and alternates to which such Presidential candidate would otherwise be entitled under this Rule shall lapse and the appropriate Congressional District Caucuses at the State Convention shall elect qualified delegates and alternates as uncommitted delegates and alternates in replacement of the delegates and alternates of such withdrawn or deceased candidate. For the purpose of this section, withdrawal shall be accomplished only by the candidate filing a signed and acknowledged request to that effect with the Secretary of the SREC.

Challenge to Petition: In the event of a challenge to a petition, the State Chairman shall follow

- the procedure for verification of signatures by means of statistical sampling as provided in Section 141.069 of the TEC. Section 3. The Presidential Primary Ballot
 - a. Listing on Ballot: The names of the qualifying Presidential candidates shall be printed on the ballot as a separate race (and as the first race if not prohibited by law) on the Party's Official Ballot for the General Primary. The names of the candidates shall be listed in a vertical column under the heading "Preference for Presidential Nominee." The order of appearance on the ballot in each county shall be determined by lot in each county at a meeting of the County Executive Committee in accordance with Section 172.082, TEC.
 - b. Uncommitted: In addition to the ballot listing of the names of the qualifying Presidential candidates, there shall appear at the bottom of such listing of candidates on said ballot a place designated "Uncommitted" in accordance with Section 4 of this Rule.
 - c. Adjustment of Ballot for Various Methods of Voting: Appropriate changes shall be made in ballots for voting machines and electronic voting systems; consistent with the method of voting used.
 - d. Style of Names: The type for all names of qualifying Presidential candidates shall be uniform and of the same size and the SREC shall prescribe a sample ballot and the State Chairman shall furnish a copy of the sample ballot to each County Chairman at the time prescribed by the TEC for certifying the names to appear on the ballot.
 - e. Write-in Prohibited: Write-in voting for presidential candidates shall not be permitted, and any write-in votes shall not be counted for any purpose.

Section 4. Uncommitted Delegates and Alternates

In addition to the foregoing, uncommitted delegates and alternates may be elected as follows:

- a. District Delegates: In those Congressional Districts entitled to uncommitted delegates and alternates under this Rule, the Congressional District Caucus convened at the State Convention shall elect and submit to the Convention for confirmation, in like manner with other delegates and alternates, the name(s) and appropriate number of qualified voters who reside in the district and who voted in the Republican Presidential Primary and who sign a pledge declaring themselves uncommitted at the time of their election as uncommitted district delegates and alternates to the National Convention, and such persons shall be confirmed by the Convention as uncommitted district delegates and alternates.
- b. Delegate Entitlement: For the purpose of determining entitlements under Sections 8 and 9 of this Rule, votes cast for "Uncommitted" on the ballot shall be considered as having been voted for a separate candidate.

Section 5. Canvass of Returns

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- For the purpose of selecting district delegates and alternates, the returns of votes cast for
- 39 Presidential candidates in the Republican Presidential Primary shall be canvassed by the SREC
- at the same time as the returns for other offices and shall be canvassed and recorded by
- Congressional District. For the purpose of selecting at-large delegates and alternates, the returns shall be canvassed and counted on a statewide basis.

Section 6. Election of District Delegates and Alternates at State Convention

a. Number of District Delegates and Alternates: Three (3) district delegates from each Congressional District and three (3) alternates shall be elected at the State Convention

- required by Section 174.092, TEC, in accordance with this section and the entitlements set forth in Sections 8 and 9 hereof.
 - b. At the State Convention, each Congressional District shall meet and shall elect those district delegates and alternates to which a candidate is entitled under Section 8. Elections for a candidate's committed delegates and alternates shall be from person nominated from the floor at the said meeting, provided however, that said nominee agree to adhere to the pledge to the candidate required under Section 10 hereof. Nominations for uncommitted delegates, if there is such an entitlement, shall be provided under Section 4. Elections shall be by majority vote, one at a time, with all delegates being elected first and then all alternates. Those delegates and alternates elected by the Congressional District shall be submitted to the Convention, which shall confirm, and not amend, those district delegates and alternates who shall be the district delegates and alternates from Texas to the National Convention of the Republican Party, and shall be so certified in accordance with The Rules of the Republican Party.

Section 7. Election of At-Large Delegates and Alternates at State Convention

- a. As provided for in Rule No. 34A, each Congressional District Caucus shall meet at the State Convention, and elect one (1) person to serve as a member of the National Nominations Committee from persons nominated from the floor at the said meeting. Election to this committee shall be by majority vote. In the same manner, each Congressional District Caucus may recommend the name of one (1) member for consideration by the National Nominations Committee as a National Convention delegate or alternate, but the National Nominations Committee is not required to accept such recommendation, in accordance with The Rules of the Republican Party.
- b. At the State Convention, the National Nominations Committee shall meet to select nominees for all at-large delegates and alternate delegates, and consider the recommended names of members of the Congressional District Caucuses for possible selection as National Convention Delegates and Alternates. Those elected federal office holders who have access to the floor of the National Convention by virtue of their office shall be prohibited for selection as an at-large national delegate or alternate, by the National Nominations Committee.
- c. Those at-large delegate and alternate nominees selected by the National Nominations committee shall be reported to the State Convention. This report shall not be amendable by the State Convention, but shall either be confirmed or rejected by the State Convention. If the report is rejected, it shall be immediately returned to the Committee for revision and then resubmitted to the State Convention, until the report is confirmed by the Convention. The at-large delegates and alternates shall also be bound by the pledge provisions of Section 10 of this Rule. At-large delegates and alternates nominated and elected from Texas in accordance with this Rule shall be certified as the delegates and alternates from Texas in accordance with The Rules of the Republican Party for the National Convention.

Section 8. District Delegate and Alternate Entitlements

- For the purpose of determining the entitlement to district delegates and alternates by candidates, the provisions of this section shall apply as follows:
 - a. More than Fifty Percent (50%) of Vote Received by Candidate: A candidate receiving

- more than fifty percent (50%) of the votes in any Congressional District shall be entitled to three (3) delegates and alternates from that Congressional District.
 - b. No Candidate Receives Majority of Vote: If no candidate receives a majority of the votes in any Congressional District the plurality winner is entitled to two (2) delegates and alternates from that district and the candidate receiving the next highest number of votes receives one (1) delegate and alternate; provided, however, that if no candidate receives a majority vote in a Congressional District, and only one (1) candidate receives more than 20% of the Congressional District vote, such candidate shall be entitled to two (2) delegates and alternates. The remaining Congressional District delegate and alternate shall be awarded to the second (2nd) place candidate.
 - c. No Candidate Receives Twenty Percent (20%) of Vote: If no candidate receives more than twenty percent (20%), each of the three (3) candidates receiving the highest number of votes shall receive one (1) delegate and alternate.

Section 9. At-Large Delegate and Alternate Entitlements

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For the purpose of determining the entitlement to at-large delegates and alternates by candidates, the provisions of this section shall apply, as follows:

- a. At-Large Delegates and Alternates Allocated by State Convention Caucus: The delegates elected to participate in the State Convention shall caucus by secret ballot and select a presidential candidate by plurality vote to receive the entitlement of a number of at-large delegates and alternates that will represent twenty-five percent (25%) (rounded down) of the total number of Texas delegates and alternates to the Republican National Convention. The State Republican Executive Committee shall prescribe the process for each state convention delegate to cast their vote for their presidential preference by electronic or paper ballot. The National Nominations Committee shall canvass the vote and allocate the State Convention Caucus selection from among the at-large delegates prior to allocating the remaining at-large delegates as follows:
- b. At-Large Delegates and Alternates Allocated by Presidential Primary:
 - 1. More than Fifty Percent (50%) of Vote Received by Candidate: A candidate receiving more than fifty percent (50%) of the votes cast in the Presidential Primary canvassed on a statewide basis shall be entitled to all remaining at-large delegates and alternates allocated to Texas under The Rules of the Republican Party.
 - 2. No Candidate Receives Majority of Vote: If no candidate receives a majority of the votes cast statewide in the Presidential Primary, then the remaining at-large delegates and alternates shall be apportioned among the candidates receiving more than twenty percent (20%) of the statewide vote in the ratio which the number of votes received by each such candidate who received more than twenty percent (20%) of the statewide vote, bears to the total of all such candidates receiving more than twenty percent (20%) of the statewide vote, rounding fractional delegates and alternates upward to the next whole number beginning with the candidate receiving the largest number of votes. However, if no candidate receives a majority of the votes cast statewide in the Presidential Primary and only one candidate receives twenty percent (20%) or more of the statewide vote, then the remaining at-large delegates and alternates shall be apportioned between the candidate receiving more than twenty percent (20%) of

- the statewide vote and the candidate receiving the second highest number of votes, in the ratio which the number of votes received by each such candidate bears to the total votes for both such candidates, rounding fractional delegates and alternates upward to the next whole number beginning with the candidate receiving the largest number of votes.
- 3. No Candidate Receives Twenty Percent (20%) of Vote: If no candidate receives more than twenty percent (20%) of the votes cast statewide in the Presidential Primary, the remaining at-large delegates and alternates shall be apportioned among all candidates, beginning with the candidate receiving the highest number of votes and rounding fractional delegates and alternates upward to the next whole number, and then awarding delegates and alternates to the second highest candidate in the same manner, and so forth until the remaining at-large delegates and alternates to be apportioned have been fully awarded.
- c. If, pursuant to *Rules of the Republican Party* Rule 17, either the chairman of the Republican National Committee or the Republican National Committee Standing Committee on Rules, determines that subsection (a) of this Section is in violation of the *Rules of the Republican Party*, all At-Large Delegates and Alternates will be allocated in accordance with subsection (b) of this Section.

Section 10. Pledge of Delegates and Alternates.

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- a. Commitment to Candidate: By assenting to nomination on a Presidential candidate's slate, each delegate and alternate representing a Presidential candidate becomes pledged to the Presidential candidate on whose slate the delegate and alternate is nominated in accordance with Subsection b of this section.
- b. Length of Commitment: A person who is elected as a delegate or alternate to the National Convention on the slate of a Presidential candidate by the State Convention to represent that particular Presidential candidate at the National Convention and who does not resign from the position is pledged to support that Presidential candidate at the National Convention until the candidate is nominated or until the delegate or alternate is released from the pledges as follows:
 - 1. First Nomination Convention Ballot: A delegate or alternate shall be released from the pledge only in the event of death, withdrawal, or by decision of the candidate. For the first ballot taken at the National Convention to determine the nominee of the Republican Party for the office of President of the United States, the totals of the votes of the members of the Texas delegation shall be announced as assigned in accordance with these Rules. No poll of the members of the delegation, except those delegates who are uncommitted, shall be taken for the announcement of the vote.
 - 2. Second Nominating Convention Ballot: A delegate or alternate shall be released from the pledge if the candidate has failed to receive twenty percent (20%) or more of the total vote cast on the preceding ballot; or by the decision of the candidate;
 - 3. Third and Subsequent Nominating Convention Ballots: All delegates and alternates are released from any pledge.
- c. Uncommitted Delegates: Uncommitted delegates and alternates may vote as they choose on all questions and candidates presented at the National Convention.

Section 11. Delegate/Alternate Resignation

- a. Written Notice: Any delegate or alternate may resign by giving written notice to the Delegation Chairman and the State Chairman at any time before the date of the National Convention.
- b. Filling Vacancy: Should a vacancy occur in the at-large delegation after the date of the State Convention but prior to the convening of the National Convention, the Chairman of the National Nomination Committee of the State Convention shall fill such vacancy by appointing, in writing, any at-large alternate to fill any at-large delegate position. To fill the vacancy of an at-large alternate, the said Chairman may select any person eligible under this Rule to hold said position, inasmuch as possible under The Rules of the Republican Party. In the case of a vacancy in a district delegate position, the paired alternate shall be moved over, and the presidential candidate or his/her designated representative shall appoint a new alternate, with the condition that the person so appointed shall reside in the same Congressional District at the time of appointment as the Congressional District in which the vacancy occurred. In the case of a vacancy in a district alternate position, the presidential candidate or his/her designated representative shall appoint a new alternate, with the condition that the person so appointed shall reside in the same Congressional District at the time of appointment as the Congressional District in which the vacancy occurred. All appointments shall be made from those nominated at the convention, if possible. If no potential nominee exists, then the presidential candidate or his/her designated representative shall appoint as a new alternate anyone eligible under this Rule to hold said position, provided that said nominee(s) agree to adhere to pledge to the candidate required under Section 10 hereof.

Section 12. Delegate/Alternate Qualifications

Each nominee for delegate and alternate must have voted in the Republican Presidential Primary, and must be qualified to be a delegate or alternate under The Rules of the Republican Party.

Rule No. 39 – Presidential Electors

At the Biennial State Convention in presidential election years, the delegates from each Congressional District shall nominate one (1) Presidential Elector and such nomination shall be presented to the National Nominations Committee; additionally, the National Nominations Committee shall select additional nominees to bring to total number of nominees to the number allowed by law. Each such nominee for Presidential Elector, prior to the report of the National Nominations Committee, shall file with the Chairman of the National Nominations Committee an affidavit in writing as to the nominee's commitment to vote for the Republican Party's nominees for President and Vice President. The report of the National Nominations Committee shall include only nominees who have so filed such affidavit. The report of the National Nominations Committee must include the nominees from the Congressional District who have so filed affidavits. The Convention shall then elect the Presidential Electors. Any vacancy among the Presidential Electors shall be filled by majority vote of the SREC, with the conditions that (1) the person elected to fill the vacancy shall have already filed with the State Chairman an affidavit in writing as to his or her commitment to vote for the Republican Party's nominees for President

and Vice President and (2) if the vacancy occurs for a person who had been nominated by his or

her Congressional District Caucus at the biennial State Convention then the SREC shall elect a

2 person who has filed such an affidavit, has made an affiliation with the Republican Party of

Texas under Chapter 162 of the TEC, and resides in that same congressional district at the time

he or she is elected by the SREC to be a replacement Presidential Elector.

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Rule No. 40 – National Committeeman and Committeewoman

7 At the biennial State Convention held in presidential election years, each Congressional District

8 shall caucus and recommend a man for Republican National Committeeman from Texas and a

9 woman for Republican National Committeewoman from Texas. These recommendations shall

be forwarded to the National Nominations Committee by the district's member to the committee,

who shall support them on at least the first (1st) round of voting. The National Nominations

12 Committee shall select one (1) man and one (1) woman from these recommendations to be

submitted to the Convention as nominees for these positions. Nominations from the floor shall

be allowed only for candidates recommended by at least three (3) districts, or by petition signed

by delegates equal in number to at least twenty percent (20%) of the convention voting strength.

In the event of a vacancy in the office of National Committeeman or Committeewoman the

vacancy shall be filled by a majority vote of the State Republican Executive Committee.

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Rule No. 41 – State Party Chairman and Vice Chairman

20 At the biennial State Convention, each Senatorial District shall caucus and recommend a man

and woman for State Chairman and Vice Chairman. These recommendations shall be forwarded

to the State Nominations Committee by the district's member to the committee, who shall

support them on at least the first (1st) round of voting. The State Nominations Committee shall

select one (1) man and one (1) woman from these recommendations to be submitted to the

25 Convention as nominees for these positions. Nominations from the floor shall be allowed only

for candidates recommended by at least three (3) districts, or by petition signed by delegates

equal in number to at least twenty percent (20%) of the convention voting strength. No person

shall be eligible to be elected Chairman or Vice Chairman for more than four (4) consecutive two-year terms to the same office.

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Rule No. 42 – State Republican Executive Committee (SREC)

- 32 At the biennial State Convention, each Senatorial District shall caucus and recommend two (2)
- nominees to represent that Senatorial District on the SREC as Committeeman and
- Committeewoman. The results shall be forwarded to the State Nominations Committee by the
- district's member to the committee, and the committee shall include the results in its report to the
- 36 Convention. Those members selected to represent a particular Senatorial District must be those
- 37 recommended by the convention delegates representing that Senatorial District. For the purposes
- of election to, and service on, the SREC a person must be a resident of the district he or she
- 39 represents as indicated by his or her current voter registration. No person shall be eligible to be
- 40 elected State Republican Executive Committee man or woman for more than four (4)
- 41 consecutive two-year terms. SREC Committeeman and Committeewoman are ex-officio
- members of their SD Counties Executive Committees, without the right to make motions or vote.
- No member of the SREC may hold any elective federal, state or county office. The SREC shall
- be authorized to approve the minutes of the State Convention.

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GENERAL RULES FOR CANDIDATES

Rule No. 43 – Candidate Platform Review

Each candidate running as a Republican for any public office on any ballot in the State of Texas shall be provided a copy of the Platform of the Republican Party of Texas. The Republican Party of Texas shall make an electronic copy of the Platform available to each candidate upon request. The County or State Chairman shall distribute a copy of the Platform to each candidate along with all other candidate application papers. Each candidate, except a candidate for judicial office, may indicate for each bullet point item of the Party Principles included in the Preamble of the Platform, whether the candidate agrees, disagrees, or is undecided, as to each item, with comments if desired. The County or State Chairman shall also request that each non-judicial candidate read the entire Platform and choose at least ten (10) line items from the Platform that the candidate strongly supports. The SREC shall also have the newest Platform available to the candidates within two (2) months after its adoption by the State Convention. All candidates for non-judicial offices should file the completed Platform Review containing the candidate's responses at the time of filing for office. Candidates' responses shall be collected and recorded by the Republican Party of Texas and published on the Party's website prior to the primary. A copy of the candidates' responses filed with a County Chairman shall be forwarded to the State Chairman within ten (10) days of receipt. At the discretion of the Officials Committee of the SREC, a candidate's response may be excluded from or edited prior to posting to the website of the Republican Party of Texas.

Rule No. 43A

The Platform Committee of the biennial State Convention shall prepare a list of no less than ten (10) and no more than twenty (20) principles included in the Preamble of the Platform of the Republican Party of Texas which clearly defines the Party's values, with the knowledge and purpose that they be used to identify candidate values as stated in Rule No. 43. A candidate must return the candidate's completed Platform Review and the completed Candidate Resource Committee (CRC) funding application to be eligible to receive funds from the CRC of the SREC.

Rule No. 44 - Censure Process and Penalties

A County or Senatorial District Convention or a County or District Executive Committee may by a two-thirds (2/3) vote of those present and voting adopt a resolution censuring a Republican public or party office holder representing all or a portion of that County or District for three (3) or more actions taken during the current biennium in opposition to the core principles of the Republican Party of Texas defined in the Preamble of the Party Platform as described in Rule No. 43A.

Such a resolution may include a request to the State Convention or SREC that the named office holder be penalized. If such a request is included, the delegates of the State Convention by majority vote, or the State Republican Executive Committee by a two-thirds (2/3) vote of the full membership, may vote to concur with the resolution of censure and declare that no Rule or Bylaw enacted by any division of the Party at any level that demands the Party be neutral in intraparty contests shall be observed with respect to the named candidate, and no financial or

other support shall be provided to their campaign by the Party except that which is required by law.

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Any such penalty shall expire at the beginning of the State Convention following its adoption.

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Republican Party of Texas 211 E 7th Street, Suite 915 Austin, Texas 78701 512-477-9821 (Telephone) 512-480-0709 (Fax) Adopted by the Republican Executive Committee meeting in Austin, Texas on March 13, 1972; amended by the State Convention meeting in Dallas, Texas on September 19, 1972; amended by the State Convention meeting in Houston, Texas on September 17, 1974; amended by the State Convention meeting in Fort Worth, Texas on June 19, 1976; amended by the State Convention meeting in Austin, Texas on September 11, 1976; amended by the State Convention meeting in Dallas, Texas on September 9, 1978; amended by the State Convention meeting in Houston, Texas on June 21, 1980; amended by the State Convention meeting in San Antonio, Texas on September 6, 1980; amended by the State Convention meeting in Austin, Texas on September 11, 1982; amended by the State Convention in Corpus Christi, Texas on September 22, 1984; amended by the State Executive Committee meeting in Austin, Texas on November 23, 1985; amended by the State Convention in Dallas, Texas on June 28, 1986; amended at the State Executive Committee meeting in Austin, Texas on May 30, 1987; amended at the State Executive Committee meeting in Copperas Cove, Texas on November 21, 1987; amended by the State Convention meeting in Houston, Texas on June 10, 1988; amended by the State Convention meeting in Fort Worth, Texas on June 30, 1990; amended by the State Convention meeting in Dallas, Texas on June 20, 1992; amended by the State Convention meeting in Fort Worth, Texas on June 11, 1994; amended by the State Convention meeting in Fort Worth, Texas on June 13, 1998; amended by the State Convention meeting in Houston, Texas on June 16, 2000; amended by the State Convention meeting in Dallas, Texas on June 8, 2002; amended by the State Convention meeting in San Antonio, Texas on June 4, 2004; amended by the State Convention meeting in San Antonio, Texas on June 3, 2006; amended by the State Convention meeting in Houston, Texas on June 13, 2008; amended by the State Convention meeting in Dallas, Texas on June 12, 2010; amended by the State Executive Committee meeting in Austin, Texas on October 1, 2011; amended by the State Executive Committee meeting in Austin, Texas on February 29, 2012; amended by the State Convention meeting in Fort Worth, Texas on June 8, 2012; amended by the State Executive Committee meeting in Austin, Texas on December 7, 2013; amended by the State Convention meeting in Fort Worth, Texas, on June 6, 2014; amended by the State Executive Committee meeting in Austin, Texas on March 7, 2015; amended by the State Executive Committee meeting in Austin, Texas on September 12, 2015; amended by the State Convention meeting in Dallas, Texas, on May 13, 2016. Pursuant to Section 163.006, TEC, any amendments made to these rules and contained herein which govern or affect the Republican Party of Texas' general or runoff primary elections, conventions or nominees, are effective January 1, 2013.

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TEXAS DUAL OFFICE HOLDING LAWS MADE EASY

Answers to the most frequently asked questions about the Texas Dual Office Holding Laws

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Index to Constitutional Dual Office Holding

Issue	e Addressed	Page Number
1.	What is dual office holding	1
2.	What does it mean "to hold two civil offices of emolument"	1
3.	What is considered an "office"	2
4.	Difference between a public employee and a public officer	2
5.	What is considered an "emolument"	3
6.	Effect of refusal of "emolument"	3
7.	Effect of taking on additional duties	3
8.	Effect of temporary service as an officer	3
9.	Ability to serve on an advisory board	4
10.	Public officers who are exempt from dual office holding limitations	4
11.	Is a local law enforcement officer considered an "officer"	4
12.	Is a city attorney considered an "officer"	
13.	Is a municipal court judge considered an "officer"	5
14.	May a school district employee serve on a local governing body	6
15.	May a state employee serve on a local governing body	6
16.	Ability of local entity to hire elected member of the Texas Legislature	7
17.	Ability of local entity to hire elected member of the Congress	7
	Index to Common-Law Incompatibility	
Dete	ermining Whether Two Offices are Incompatible	
18.	What is common-law incompatibility	8
19.	Difference between incompatibility and dual office holding limitations	8
20.	Difference between incompatibility and conflict of interest limitations	8
21.	Application of incompatibility if one position is not a public office	8
22.	Application of incompatibility to outside private employment	9
23.	Three general types of common-law incompatibility	9
Pro	hibition Against Self-Appointment	
24.	Inability of local governing body to appoint its own members to a public	office9
25.	Effect of city charter, state or federal law on power to appoint	10
26.	Inability to adopt ordinance allowing incompatible appointments	10
27.	Appointment of a local officer to a position that is not a "public office"	10
28.	Appointment of a local officer to a position of another political subdivision	on11

Prohi	ibition Against Self employment	
29.	Inability of governing body members to be same entity's employee	11
30.	Inability to hold two local staff positions if one reports to the other	11
31.	Limited ability to hold two local staff positions if they do not report to each other.	12
Prohi	ibition Against Conflicting Loyalties	
32.	What circumstances cause a "conflicting loyalties" problem	12
33.	Both positions must be "public offices" for conflicting loyalties issue	12
34.	Conflicting loyalties issue if authorized to contract with each other	13
35.	Conflicting loyalties issue if boundaries of entities overlap	13
36.	Conflicting loyalties issue if there is ability to impose will on other	13
37.	Inability of county commissioner to serve on city council	14
38.	Inability of school district trustee to serve on city council	14
39.	Inability of special district board member to serve on local governing body	14
40.	Application of conflicting loyalties for officers not on the governing body	14
41.	Ability of state law or city charter provision to permit incompatible offices or	
	forbid otherwise compatible ones	15
Conse	equences of Seeking/Accepting a Second Office	
42.	Acceptance of second office and automatic resignation	15
43.	Application of automatic resignation to two conflicting "public offices"	15
44.	Effect of announcement of candidacy for other public office	16
45.	Ability of local employee to run for public office	16
46.	Ability of local official to run for Texas Legislature	16
47.	No criminal penalties for holding two conflicting public offices	17
Char	ts noting prohibited dual office holding combinations	18-21

Dual Office Holding Limitations Made Easy

Seventy percent of Texas cities, in addition to some counties, have a population of under 5,000 residents. Therefore, it is not surprising that when individuals are actively involved in their communities, they are often asked not only to hold one public office but to serve in several different public capacities. However, in certain situations, state law does not permit dual office holding. It is important that local officials understand in which circumstances they can agree to serve in another public office. This knowledge is particularly important because the acceptance of a second public office can result in an automatic resignation from a person's current public office. The following questions and answers provide a lay person's explanation of the dual office holding limitations that apply to local officials in Texas. The Municipal Affairs and County Affairs sections of the Office of the Attorney General are available to answer questions about this from public officials, who should nonetheless consult with their local legal counsel regarding the application of the law to the facts of each particular situation. This handbook offers guidance to officials of other public entities as well.

The chart attached to the end of this summary is an overview of attorney general opinions and cases that have ruled on specific questions of whether two offices may be held simultaneously. It does not address each example entirely, since facts may be slightly different, nor does it address other dual office holding situations.

1. What is dual office holding?

Dual office holding refers to certain limitations that prevent a person from holding two or more public offices at the same time. The restrictions on dual office holding are primarily derived from two sources:

- 1. Texas constitutional restrictions on holding two civil offices of emolument (see question # 2, below); and
- 2. Attorney general opinions and court cases that have found the dual holding of certain offices to be incompatible and therefore invalid.

As noted above, this issue is particularly important because the acceptance of a second public office can result in an automatic resignation from a person's current public office.

2. What does it mean to hold "more than one civil office of emolument"?

In basic terms, to hold "more than one civil office of emolument" means to hold two paid public offices. The prohibition against holding two civil offices of emolument is contained in Article XVI, section 40 of the Texas Constitution. It provides in part:

"No person shall hold or exercise at the same time, more than one civil office of emolument...."

3. What is considered an "office" for purposes of dual office holding?

To understand the prohibition against holding two civil offices of emolument, one must first understand what positions are considered "public offices." A public officer, unlike a public employee, exercises a sovereign function of government largely independent of the control of others for the public benefit.

This distinction recognizes the essential elements of public office: first, the officeholder's authority to exercise governmental power for the benefit of the public; and second, the officeholder's independence from the control of other governmental entities or officials. A mere employee does not hold a public office. Also, a person who holds a position with a private nonprofit association (e.g., a board member of a nonprofit association) is not considered a public officer for purposes of dual office holding.¹

4. How can one determine whether a person is considered a public "employee" or a public "officer"?

Since only public offices raise constitutional dual office holding concerns, it is important to distinguish between positions that are considered a public office and positions that are simply public employment. The factor which differentiates an officer from an employee is whether the person is empowered to exercise a "sovereign" function of government that is largely independent of the control of others.² For example, city council members and county commissioners are clearly officers since they exercise sovereign functions of government (e.g., they adopt policies and rules regarding public policy) that are largely independent of the control of others. However, an assistant district attorney,³ a jailer,⁴ a chief deputy of a county tax assessor-collector,⁵ and a volunteer fireman⁶ have all been found not to hold a public office because their duties are not exercised largely independent of the control of others. Similarly, city attorneys have been held not to be "officers" for purposes of dual office holding.⁷

A person does not have to be elected to a position to be considered an officer. For example, the Texas Local Government Code and most home rule charters state that the city manager, city secretary, and certain other city department heads are considered officers. However, the city should visit with its local legal counsel to determine whether such positions would be considered offices for purposes of the constitutional limitation on dual office holding.

Op. Tex. Att'y Gen. No. DM-303 (1994).

² Aldine Independent School District v. Standley, 280 S.W.2d 578 (Tex. 1955).

³ State ex rel., Hill v. Pirtle, 887 S.W.2d 921, 931 (Tex. Crim. App. 1994); Tex. Att'y Gen. LO- 96-148.

⁴ Op. Tex. Att'y Gen. No. JM-1047 (1989).

⁵ Op. Tex. Att'y Gen. No. JM-1083 (1989).

⁶ Op. Tex. Att'y Gen. No. JC-385 (2001).

Op. Tex. Att'y Gen. No. JC-54 (1999).

5. What is considered to be an "emolument" for purposes of holding "civil offices of emolument"?

The constitutional provision regarding dual office holding generally prevents a person from holding two civil offices of emolument. In basic terms, an "emolument" is either pay or some other benefit, compensation or thing of value received in exchange for the person's service as an officer. For example, an emolument could involve the provision of free or reduced utility service charges, a set per diem for each meeting that is attended, complimentary health insurance, or some other type of compensation or benefit for serving in a public office. However, the mere reimbursement of a local officer for actual government-related expenses (e.g., the cost of meals or actual mileage) is not considered to be an emolument if the reimbursement is limited to the amount contained in actual receipts or other proof of expenditures. If a person is paid a set amount and that amount is not limited to actual expenditures, it would constitute an emolument for dual office holding purposes.⁸

6. May a person refuse the "emolument" (the pay or benefits of an office) to avoid holding two civil offices of emolument?

No, if a state statute or a city ordinance fixes a salary or other form of compensation for an office, the compensation attaches to and is inseparable from the office. Generally, an officer cannot return the pay or benefits of the second office, or simply refuse to accept them, to avoid being considered to hold two civil offices of emolument. Likewise, a governmental entity cannot simply eliminate the pay or benefit to a local officer to avoid a dual office holding issue. ¹⁰

7. If a public officer takes on additional duties, does this create a second office in violation of dual office holding limitations?

No, simply taking on additional duties does not necessarily create a second office in violation of dual office holding limitations. ¹¹

8. Is a person considered an "officer" if he serves for only a temporary period as an officer?

If a person takes a position that is merely temporary, it is usually not considered to be a second office for dual office holding purposes. ¹² In order for a position to be considered an office, it must have duties that are continuing in nature rather than temporary or intermittent. For example, a court ruled that the temporary performance of the mayor's duties by a mayor pro tem during an interim period before a special election to fill the mayor's position did not constitute dual office holding. ¹³

¹² Tex. Att'y Gen. LO- 96-81; Op. Tex. Att'y Gen. No. JM-847 (1988).

⁸ Op. Tex. Att'y Gen. No. JM-594 (1986), *Willis v. Potts*, 377 S.W.2d 622 (Tex. 1964); Op. Tex. Att'y Gen. No. JM-704 (1987); Tex. Att'y Gen. LO-93-33.

Markwell v. Galveston County, 186 S.W.2d 273 (Tex. Civ. App.—Galveston 1945, no writ); Op. Tex. Att'y Gen. JM-704 (1987). But see Op. Tex. Att'y Gen. No. GA-250 (2006) (Texas Government Code section 574.005(b) allows local officer to serve on state agency governing body without compensations and thus detaches compensation from office).

¹⁰ Broom v. Tyler County Comm'rs Court, 560 S.W.2d 435 (Tex. Civ. App.—Beaumont 1977, no writ).

Op. Tex. Att'y Gen. No. DM-55 (1991).

De Alejandro v. Hunter, 951 S.W.2d 102, 107 (Tex. App.—Corpus Christi 1997, no pet.).

9. Is a person considered an "officer" if they serve on a purely advisory board that has no final power?

A person who serves in a merely advisory capacity or on a purely advisory board is not considered an officer for purposes of the dual office holding limitations. However, it is important to note that if the board has any rule making or quasi-judicial powers, or the board's recommendations are generally approved in whole by another governmental entity, it is not likely that the board would be found to be purely advisory.

10. Are certain public officers exempt from the dual office holding limitations?

The Texas Constitution provides that certain public officers are exempt from the constitutional dual office holding limitations. ¹⁴ Such officers include:

- 1) Justices of the peace;
- 2) County commissioners;
- 3) Directors of certain soil and water conservation districts 15; and
- 4) Notaries public

The officers listed above are not subject to the constitutional limitation against holding two civil offices of emolument. However, the constitution is only once source of the limitations on dual office holding. Another limitation, called the "doctrine of incompatibility," might still prevent an officer from holding a second office if the second public office would be considered incompatible with the first office. To example, a county commissioner cannot serve as a city council member at the same time. The standards for determining whether two public offices are incompatible are discussed further in questions # 18-23 of this article.

11. Is an ordinary law enforcement officer considered an "officer" for purposes of dual office holding?

Under most circumstances, an ordinary law enforcement officer is not considered an officer for purposes of constitutional dual office holding limitations. Therefore, it is possible that a city police officer or deputy sheriff could hold another public office if the two offices were not considered incompatible. For example, a city police officer is not prevented from serving as an elected city council member for a different city within the same county. A police officer employed by a municipality also is not prohibited from serving as a municipal judge in a different city, either

This is a very limited exception and only applies to districts covered by Chapter 201 of the Agriculture Code. Neither a river authority, nor a drainage district, nor a water conservation and reclamation district are covered by this exception. Op. Tex. Att'y Gen. No. JM-172 (1984); Tex. Att'y Gen. LA-150 (1978).

¹⁴ TEX. CONST. art. XVI, § 40.

For example, a justice of the peace could serve as a municipal court judge at the same time. Op. Tex. Att'y Gen. No. JM-819 (1987).

¹⁷ Tex. Att'y Gen. LO-96-4.

Op. Tex. Att'y Gen. No. DM-212 (1993); Tex. Att'y Gen. LO- 95-48; LO-93-27.

¹⁹ Tex. Att'y Gen. LO-93-27; LO-95-48.

within the same county or in another county. ²⁰ However, the State Commission on Judicial Conduct ("Commission") issued a public statement stating that though it might be legal for a judge to also be a police officer or law enforcement officer, ethically it is not. ²¹

"In issuing this Public Statement, the Commission recognizes the existence of Attorney General Letter Opinion No. 92-35 (1992), which discusses the legality of serving in both roles. However, the Commission notes that an act that is legal is not necessarily an act that is ethical. Judges are members of the judicial branch of our government. Law enforcement officers are part of the executive branch. Each branch is separate from, but co-equal with, the other. Therefore, the Commission concludes that any judge who attempts to serve both branches cannot accomplish the task without impairing the effectiveness of one or both positions."

12. Is a city attorney an "officer" for purposes of dual office holding?

Under most circumstances, a city attorney is not considered an officer for purposes of constitutional dual office holding limitations. ²³ Therefore, it is possible for a city attorney to hold another public office if the two offices are not considered incompatible. For example, a lawyer may serve as the city attorney for several Texas cities at the same time without violating dual office holding provisions.

13. Is a municipal court judge an "officer" for purposes of dual office holding?

A municipal court judge is considered an "officer" for purposes of dual office holding.²⁴ However, appointed municipal court judges may hold more than one such appointment, provided the holding of the second office is "of benefit to the State."²⁵ In 1997, the legislature specifically provided in Government Code Section 574.001 (b) that a person may hold an appointed office of municipal judge for more than one city at the same time. To hold multiple municipal court judgeships, each office must be one that is filled by appointment. The legislature found that the holding of multiple municipal court judgeships was of benefit to the state.²⁶

²³ Op. Tex. Att'y Gen. No. JC-54 (1999).

²⁰ Tex. Att'y Gen. LO-93-59.

State Commission on Judicial Conduct PS-2000-1.

²² *Id.*

²⁴ Op. Tex. Att'y Gen. Nos. JM-333 (1985); DM-428 (1996).

²⁵ Op. Tex. Att'y Gen. No. DM-428 (1996).

²⁶ TEX. GOV'T CODE ANN. § 574.001 (b) (Vernon 2004).

14. May a school district employee (such as a school teacher) also serve as a member of a local governing body?

Dual office holding limitations do not prevent a school district employee from serving as a member of a local governing body. ²⁷ However, the Texas Constitution does limit the ability of some school district employees to accept any compensation for serving as a board member. Article XVI, section 40 of the Texas Constitution provides that if the compensation of a public employee is directly or indirectly funded in whole or in part from state funds, the public employee may not receive any compensation for his service as a member of the governing body of a city, school district or other local government district. This section was amended in 2001 to allow school teachers, retired school teachers, and retired school administrators to receive compensation for serving as a member of a governing body of a school district, city, local governmental district, and certain water districts. The term "school teacher" does not include a state university professor or instructor. ²⁸ As for other school district employees, since their pay is received in part from state funds, such employees would be prohibited from accepting any compensation for serving as board members (other than reimbursement for actual expenses). ²⁹ However, a person who receives only state retirement benefits is not required to renounce his or her salary for service on a board. ³⁰

15. May a state employee also serve as a member of a local governing body?

Dual office holding limitations do not prevent state employees from serving as members of a local governing body. However, the Texas Constitution does limit the ability of a state employee to accept any compensation for serving as a board member. Article XVI, section 40 of the Texas Constitution provides that if the compensation of a public employee is directly or indirectly funded in whole or in part from state funds, the public employee cannot receive any compensation for his or her service as a member of the governing body of a city, school district or other local government district. Since the pay of a state employee is received from state funds, such an employee would be prohibited from accepting any compensation for serving as a board member (other than reimbursement for actual expenses). Nonetheless, a person that receives only state retirement benefits is not required to renounce his or her salary for service on a local board. 33

See Op. Tex. Att'y Gen. Nos. DM-55 (1991); JC-74 (1999) (school teacher or school administrator is not an office). Ruiz v. State, 540 S.W.2d 809, 811 (Tex. Civ. App.—Corpus Christi 1976, no writ).

Op. Tex. Att'y Gen. No. JC-577 (2002). In 2003, a constitutional amendment allowed active and retired faculty members of public institutions of higher education to receive compensation while serving on the governing body of certain water districts.

²⁹ Tex. Att'y Gen. LO-95-1; LO-93-33; Op. Tex. Att'y Gen. No. JC-74 (1999).

³⁰ Tex. Att'y Gen. LO-93-041.

It should be noted that an elected member of the commissioners court is not covered by this constitutional provision and could therefore receive both compensation from the state and a salary for serving on the commissioners court. *County of Maverick v. Ruiz*, 897 S.W.2d 843 (Tex. App.—San Antonio 1995, no writ).

³² Tex. Att'y Gen. LO-95-1; LO-93-33.

³³ Tex. Att'y Gen. LO-93-41.

16. May an elected member of the Texas Legislature be hired to work for a local government?

The final sentence in article XVI, section 40 of the Texas Constitution states:

No member of the Legislature of this State may hold any other office or position of profit under this State, or the United States, except as a notary public ..."

The above limitation prevents a member of the Texas Legislature from holding an office or "position of profit" with the State or with the United States. A position of profit is defined as a "salaried non-temporary employment." Accordingly, a member of the Texas Legislature could not serve as a local officer or be hired as a local employee. He or she could also not simply take a leave of absence from local office or employment during the legislative session. However, this constitutional provision would not prevent a local entity from contracting with a Texas legislator to serve as an independent contractor for the city. For example, in certain cases, the entity may contract with a Texas legislator to provide certain consulting services.

17. May an elected member of Congress or other federal "officer" serve as a local officer or employee?

Article XVI, section 12 of the Texas Constitution states:

No member of Congress, nor person holding or exercising any office of profit or trust under the United States . . . shall . . . exercise any office of profit or trust under this state.

The above limitation prevents a member of Congress or other federal "officer" from holding an office of profit or trust in this state. An office of profit or trust would include local offices. Accordingly, a member of Congress or a federal officer could not serve as a local officer. The officer could also not simply take a leave of absence from office during the congressional session. However, this constitutional provision would not prevent a local entity from hiring a member of Congress or a federal officer as an employee. Likewise it would not prevent a local entity from contracting with a member of Congress or a federal officer to serve as an independent contractor for the entity. For example, in certain cases, the entity may contract with a congressman or a federal officer to provide certain consulting services.

³⁴ Op. Tex. Att'y Gen. Nos. JC-430 (2001); H-1304 (1978).

³⁵ Tex. Att'y Gen. LO-90-55.

³⁶ Op. Tex. Att'y Gen. No. H-1304 (1978); Tex. Att'y Gen. LO-95-22; LO-93-31.

Determining Whether Two Offices are Incompatible

18. What is common-law incompatibility?

Common-law incompatibility refers to the prohibition against a person holding certain public offices at the same time because of the practical conflicts of interest that might arise. For example, the doctrine of incompatibility prevents a person from holding two public offices if a person could use the power in one office to impose policies that impact the other office. Common-law incompatibility also may be implicated if there is the potential that a person's actions in one office could control the other office. The concept of common-law incompatibility is derived from a series of court cases and attorney general opinions that have prohibited the holding of multiple public positions in particular situations. Whether the holding of two public offices would violate common-law incompatibility requires a factual consideration of the duties of each position and must be considered on a case-by-case basis.

19. How is incompatibility different from constitutional dual office holding limitations?

Common-law incompatibility is a restriction on dual office holding, just like the particular restrictions contained in the Texas Constitution. The difference between the two is their source – one is from "common law," which is a series of court cases and attorney general opinions, while the other is from the Texas Constitution, a single document describing the function and structure of state government. The simultaneous holding of two public offices may be prohibited under either the constitutional restriction against holding two civil offices of emolument or under common-law incompatibility standards that apply to holding two incompatible positions.

20. How is incompatibility different from conflict of interest limitations?

Common-law incompatibility occurs when there are inherent conflicts in one person holding two particular public positions at the same time. Conflict of interest limitations, on the other hand, do not involve the holding of two positions at the same time. Rather, conflict of interest limitations simply involve one's authority to deliberate or vote on an issue when that person has a financial interest in a particular item.

21. Does common-law incompatibility apply only if both of the positions are public offices or public employment?

Yes, common-law incompatibility applies only if both of the involved positions are considered public offices or public employment.³⁸

³⁸ Op. Tex. Att'y Gen. Nos. DM-303 (1994); DM-194 (1992).

22. Does common-law incompatibility apply to the authority of a local officer to hold outside private employment?

Common-law incompatibility does not apply to the authority of a local officer to hold outside private employment.³⁹ In other words, the fact that a person is employed by a company that does business with a local entity does not prevent a person from holding an office with that entity. Nonetheless, such an officer would generally need to comply with Local Government Code chapter 171 conflict of interest requirements prior to deliberating or voting on certain items that have a special economic effect on that business entity and chapter 176 which requires local officials and vendors to fill out proper disclosure forms.⁴⁰

23. What are the three general types of common-law incompatibility?

The three types of common-law incompatibility are:

- 1) <u>self-appointment prohibition</u>: Prevents a governing body from appointing one of its own members to a public office;
- 2) <u>self-employment prohibition</u>: Prevents a governing body from employing one of its own members as a public employee; and
- 2) conflicting loyalties prohibition: Prevents a person from holding two public offices when the interests of the two entities may conflict and when voting on behalf of one public entity would possibly compromise the interests of the other public entity. In other words, the official would have to choose between the conflicting interests of the two public entities, giving rise to conflicting loyalties.

Self-Appointment

24. May a local governing body appoint one of its own members to a public office or position?

The prohibition against self appointment prevents a local governing body from appointing one of its own members to a public office or position. Attorney general opinions have held this to apply to school boards and county commissioners courts. Additionally, the attorney general has interpreted this principle to prohibit a city council from appointing or approving the appointment of

dui Office Holding

³⁹ Tex. Att'y Gen. LO-96-109; Op. Tex. Att'y Gen. No. JM-93 (1983).

⁴⁰ TEX. LOC. GOV'T CODE ANN. §§ 171.001–171.010; 176.001–176.010 (Vernon 2008).

⁴¹ Ehlinger v. Clark, 8 S.W.2d 666 (Tex. 1928).

Op. Tex. Att'y Gen. No. GA-377 (2005). The application of this doctrine was modified in the case of cities to allow a city council to appoint one of its members to be mayor in case of vacancy, provided the member appointed does not vote on the appointment. Tex. Loc. Gov't Code Ann. §§ 22.01(a-1); 23.002(b); 24.026(a); 26.047 (Vernon 2008).

⁴³ Op. Tex. Att'y Gen. No. C-452 (1965).

one of its own members as a police reserve officer.⁴⁴ Although the reserve officer is initially appointed by the police chief, the city council must ultimately approve his appointment. Because of the city council's power to appoint the reserve members, a member of the city council may not serve on the city's police reserve.

25. May a local governing body appoint one of its own members to a public office or position if the appointment is authorized by the city charter or by a state or federal statute?

The prohibition against self appointment may be overcome by a city charter provision or a state or federal law that allows a city to appoint one its own members to a particular public office. For example, the Development Corporation Act allows a city council to appoint up to four city officers to serve as directors of a Type B economic development corporation. Therefore, the city council could appoint its own members to these positions without creating a self-appointment problem. Additionally, chapter 311 of the Tax Code allows members of the governing body to be appointed to the board of directors of a tax increment financing corporation by that same body. 46

26. May a local governing body appoint one of its own members to a public office or position if the appointment is authorized by an ordinance or local policy?

A local entity may not rely on an ordinance or its own adopted policy to overcome the prohibition against self appointment. The entity must be able to point to a state or federal law or a city charter provision (in the case of home rule cities) that allows the local governing body to appoint its own members to a public office.⁴⁷

27. Does the self-appointment prohibition limit a local governing body from appointing its own officer to a position that is not a "public office"?

The prohibition against self appointment does not limit the authority of a local governing body to appoint its own officer to a position that is not a public office. For example, a city council or county commissioners court could appoint its own members to serve on an advisory committee if the advisory committee members are considered volunteers and not officers. However, there is another doctrine called the prohibition against self employment that would prevent these governing bodies from appointing their own members to a position that amounted to employment by the local entity.

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⁴⁴ Op. Tex. Att'y Gen. No. JM-386 (1985).

⁴⁵ TEX. LOC. GOV'T CODE ANN. § 505.052 (Vernon Supp. 2008).

op. Tex. Att'y Gen. No. GA-169 (2004).

See Op. Tex. Att'y Gen. No. JM-1087 (1989) (holding a city charter provision which was not contrary to a specific state law was sufficient to overcome the doctrine of incompatibility).

28. May a local governing body appoint one of its own members to a public office or position of another political subdivision if the appointment is authorized by an ordinance or local policy?

No, an ordinance or local policy may not authorize a local governing body to appoint one of its own to public office or position of another political subdivision. Even though a home-rule city may overcome the common-law doctrine of incompatibility through a city charter provision, it cannot overcome the common-law principle when one of the offices is that of another political subdivision. Only the legislature may exempt a city's appointment to the board of another governmental unit from the common-law doctrine of incompatibility.

Self-Employment

29. May a member of a local governing body also serve as an employee of the local entity?

A member of a local governing body may not simultaneously serve as an employee of his/her entity. ⁵¹ For example, a city council could not appoint one of its current members to also serve as the city manager, city department head, or even a rank and file city employee (unless specifically permitted by the city charter). However, since a volunteer fireman is not an employee of the city, a volunteer fireman may generally serve on the city council. ⁵² (A city council member would not be able to serve as both fire chief and city council member. ⁵³) Additionally, a city council member of a general law city may not also serve as a member of the city's police reserve. ⁵⁴

30. May a person hold two local staff positions if one position would report to the other position?

The self-employment prohibition would prevent a person from holding two local staff positions if one position would report to the other position. For example, a city manager may not also serve as the city's police chief if the city manager has supervisory authority over the chief.⁵⁵ However, the self-employment provision does not prohibit a local official from taking on certain duties that a subordinate staff member would normally perform. For example, in certain cities, the municipal court judge also handles administrative functions that would generally be handled by a municipal

⁴⁸ Op. Tex. Att'y Gen. No. JC-225 (2000).

⁴⁹ *Id.*; Tex. Att'y Gen. LO-94-20.

⁵⁰ Op. Tex. Att'y Gen. No. JC-225 (2000).

⁵¹ Tex. Att'y Gen. LO-97-34.

Tex. Att'y Gen. LO-94-70; LO-93-54. However, if the volunteer fireman was also the chief of the volunteer fire department and in this capacity has responsibility for producing the budget, the chief may not under certain circumstances be permitted to also serve on the city council. If volunteer firemen are deemed employees of the city, then the city council must adopt a resolution allowing a city council member to serve as a fireman. *See* Op. Tex. Att'y Gen. No. JC-199 (2000); Tex. Loc. Gov't Code Ann. § 21.003 (Vernon 2008) (adopted in response to JC-199).

⁵³ Op. Tex. Att'y Gen. No. MW-432 (1982).

⁵⁴ Op. Tex. Att'y Gen. No. JM-386 (1985).

⁵⁵ Tex. Att'y Gen. LO-89-2.

court clerk. If the judge only has one title and is compensated for only one position, this scenario would not violate the prohibition against self employment.

31. May an individual hold two local staff positions if one position would not report to the other position?

A person may hold two local staff positions that would not report to each other if the person is compensated for only one position. For example, in certain smaller cities, a person sometimes serves as both the city secretary and the city treasurer. Similarly, it is permissible for a city secretary to also serve as the city tax assessor/collector. Because the offices do not report to each other, there is no self-employment problem. Also, such dual capacities would not present a dual office-holding problem because neither position is an "office" for purposes of Article XVI, section 40 of the Texas Constitution.

Conflicting Loyalties

32. If a person holds two positions or offices, what circumstances could cause a conflicting loyalties problem?

Conflicting loyalties prevent a person from simultaneously holding two public offices when the interests of the two public entities may conflict and when voting on behalf of one public entity would possibly compromise the interests of the other public entity. In other words, the official would have to choose between the conflicting interests of the two entities and, thus, would have conflicting loyalties. For example, a person may not serve on the city council at the same time that he serves as a school board trustee because both the city council and the school board may be adopting policies on some of the same issues.⁵⁶ If the city council exercises its authority over school district property within the city, the council member must be free to vote on what is the best interest of the city, which may not coincide with the best interest of the school district. Accordingly, the courts and the Office of the Attorney General have generally ruled that a person may not hold two public offices where the inherent policy objectives between the two offices are likely to conflict in certain areas. The incompatibility doctrine protects the integrity of government institutions by promoting impartial service by public officials.⁵⁷

33. Must both positions be considered "public offices" for there to be a conflicting loyalties issue?

Yes, for there to be a conflicting loyalties issue, both positions must be "public offices." Therefore, the fact that a public officer holds a particular outside employment would not present a conflicting loyalties issue. Similarly, the fact that a person may work as an employee for a different public entity would not present a conflicting loyalties issue that would prevent the person from holding a public office.

⁵⁶ Thomas v. Abernathy County Line Indep. Sch. Dist., 290 S.W. 152 (Tex. Comm'n App. 1927, judgm't adopted).

⁵⁷ Op. Tex. Att'y Gen. No. JM-203 (1984).

Op. Tex. Att'y Gen. No. JM-1266 (1990); Tex. Att'y Gen. LO-96-148; LO-95-52; LO-95-29; LO-93-27.

34. May an individual hold offices on two governing bodies if the entities are authorized to contract with each other?

If the governing bodies of two entities are authorized to contract with each other, one person generally may not serve as a member of the governing body of both entities.⁵⁹ It was partly on this basis that the attorney general ruled that a county commissioner may not serve as a city council member.⁶⁰ and that a county auditor may not serve as a city council member.⁶¹

35. May an individual hold offices on two governing bodies if the geographical boundaries of the two governmental bodies overlap?

An individual often may not hold offices on two governing bodies if the geographic boundaries of the two governmental bodies overlap. The fact that the boundaries of the two entities overlap raises the potential for conflicting loyalties. If both entities have the power of taxation, the attorney general has held that the potential for conflict is insurmountable. Whether any particular conflict would prohibit the holding of both offices is a fact issue that must be considered on a case-by-case basis. For example, a justice of the peace is not barred from serving as a municipal court judge for a city merely because the city is located in the same precinct. A local entity should seek advice from its local legal counsel regarding whether the overlapping boundaries and other relevant facts regarding the duties of the two offices are likely to lead to conflicting loyalties.

36. May an individual hold offices on two governing bodies if one governmental body has some authority to impose its will on the other governmental body?

An individual often may not hold offices on two governing bodies if one governmental body has some authority to impose its will on the other governmental body. Whether one public entity could impose its will on the other public entity is a fact issue that must be determined on a case-by-case basis. In such situations, a local entity should seek advice from its local legal counsel regarding whether the potential for one body to impose its will on the other is likely to lead to conflicting loyalties.

Op. Tex. Att'y Gen. Nos. GA-15 (2003); JM-1266 (1990); JM-133 (1984); Tex. Att'y Gen. LO-95-52; LO-92-4; LO-90-18; LO-88-49.

⁶⁰ Op. Tex. Att'y Gen. No. GA-15 (2003); Tex. Att'y Gen. LO-88-49.

⁶¹ Op. Tex. Att'y Gen. No. JM-133 (1984).

⁶² Op. Tex. Att'y Gen. Nos. GA-307 (2005); GA-224 (2004); GA-32 (2003); JC-557 (2002); JM-1266 (1990); JM-129 (1984).

⁶³ Op. Tex. Att'y Gen. No. JC-557 (2002).

⁶⁴ Op. Tex. Att'y Gen. No. JM-819 (1987).

⁶⁵ Thomas, 290 S.W. at 153; Op. Tex. Att'y Gen. No. JM-129 (1984).

37. May an individual serve on a county commissioners court and a city council at the same time?

A county commissioner may not also serve as a city council member because the incompatibility of holding the two positions at the same time. ⁶⁶

38. May an individual serve as a school district trustee or a junior college district trustee and a city council at the same time?

A school district trustee may not serve as a city council member at the same time if the two political subdivisions share any overlapping geographical jurisdiction. In such cases, the attorney general has concluded that the doctrine of incompatibility prevents one person from holding both positions.⁶⁷ Similarly, a trustee of a junior college district generally cannot serve on the governing body of a city in which the junior college is located or in which property is owned or operated by the junior college.⁶⁸ Additionally, a single individual may not serve as county attorney and as a member of the board of trustees of an independent school district located in the same county.⁶⁹

39. May an individual serve as a member of a special district and a member of a local governing body at the same time?

In most situations, it is incompatible for a board member of a special district to serve as a member of a local governing body at the same time. In such situations, the local entity should work with its legal counsel to determine whether a conflict may exist due to the existence of overlapping boundaries, the authority to contract with each other, or the potential for one body to impose its will on the other. Whether holding both offices is likely to present a conflict and would prohibit the holding of both offices is a fact issue that must be determined on a case-by-case basis.

40. If an individual holds a public office but is not on the governing body, are they subject to a conflicting loyalties prohibition?

If a person holds a public office but is not a member of the governing body, it is still possible that there may be a conflicting loyalties prohibition. For example, the attorney general ruled that a county attorney (even though they are not on the governing body of the county commissioners court) could not also serve on the school board as a trustee. This conclusion was based in part on the likelihood of conflicting loyalties that would be present because the county attorney is authorized to investigate matters involving school board trustees. Similarly, it has been held that a county auditor may not serve on the city council of a city within the county because the auditor's duties regarding real property and the transfer of funds may present a conflicting loyalties problem. Conversely, it has been held that a county treasurer may serve as a school board trustee despite some

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⁶⁶ Op. Tex. Att'y Gen. No. GA-15 (2003); Tex. Att'y Gen. LO-88-49.

⁶⁷ Op. Tex. Att'y Gen. No. JM-634 (1987).

⁶⁸ Tex. Att'y Gen. LO-92-5.

⁶⁹ Tex. Att'y Gen. LO-95-29.

^{&#}x27; Id

⁷¹ Op. Tex. Att'y Gen. No. JM-133 (1984).

potential areas of conflict, in part because the treasurer does not have exclusive authority to sue the school district for debts.⁷²

41. May a state statute or city charter provision permit what would otherwise be considered incompatible offices under common law? May it forbid otherwise permissible arrangements?

The common-law doctrine of incompatibility may be overcome by a state statute or by a city charter provision that allows the person to hold two different positions. For example, the Texas Tax Code specifically allows a tax assessor/collector to also serve on the board of directors of an appraisal district. Without such statutory authority, the two offices would likely be considered incompatible because of potential conflicting loyalties. Similarly, a city charter provision could provide that the mayor may also serve as the city manager. On the other hand, a city charter may forbid a municipal judge from serving as a justice of the peace, even though this arrangement is normally compatible with state law.

Consequences of Seeking/Accepting a Second Office

42. Does acceptance of a second incompatible office operate as an automatic resignation from the first office?

Qualification and acceptance of a second incompatible office generally operates as an automatic resignation from the first office. In other words, if a person accepts and is sworn into a second office that would conflict with the first public office, the person is deemed as a matter of law to have resigned from the first public office. It should be noted that automatic resignation only operates as a matter of law when either: 1) a public officer accepts a second public office that is a paid position (in contravention of the constitutional prohibition against holding two offices of emolument); or 2) a person accepts a second public office that would present a conflicting loyalties problem under common-law incompatibility. There is no automatic resignation from the first office, however, when a dual office holding problem is due to self appointment. In that case, the acceptance of a second position that amounts to self appointment would be considered void as a matter of law but it would not affect one's ability to remain in the original public office.

43. Does automatic resignation only apply to two conflicting positions that are both "public offices"?

Yes, the automatic resignation applies only to two conflicting positions that are both public offices. In other words, if a person accepts and is sworn into a second office that would conflict with the first public office, the person is usually deemed as a matter of law to have resigned from the first public

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⁷² Op. Tex. Att'y Gen. No. JC-490 (2002).

⁷³ Op. Tex. Att'y Gen. No. JM-1087 (1989).

Op. Tex. Att'y Gen. No. GA-362 (2005). Other legal considerations may affect such charter provisions, however. *Id.* n.2.

⁷⁵ Pruitt v. Glen Rose Indep. Sch. Dist, 84 S.W.2d 1004 (Tex. 1935).

⁷⁶ Ehlinger v. Clark, 8 S.W.2d 666 (Tex. 1928).

office. However, if the person accepts a second position that is a mere employment, no automatic resignation would occur. ⁷⁷

44. May an elected official retain his/her office if they announce his/her candidacy for another public office?

Whether an elected official can retain his/her office when he/she announce his/her candidacy for another office depends on the law that applies to the office that is being vacated and the office that is being sought. In certain cases, the Texas Constitution provides that announcement for one office results in an automatic resignation from a person's current office. For example, if a city council member has a term of office of more than two years and he announces for another public office, the announcement would result in his/her resignation as a council member if he/she still had more than a year left in his/her city council term. The resigned official holds over in office, however, until a successor is appointed. ⁷⁹

45. May a local employee retain his/her job if he/she announce his/her candidacy for public office?

Whether a local employee may retain his/her job while running for public office depends upon a consideration of certain factors. Courts in addressing this issue have to balance the employee's right to run for office against the local governmental body's interest, as an employer, in promoting the efficiency of the public services it performs through its employees. ⁸⁰ In certain situations, requirements that an employee must resign in order to run for office have been held to be invalid by the courts. This analysis is in reality a sliding scale upon which "public concern" is weighed against disruption of the work environment. Before a local employee runs for office, he/she may want to visit with his/her employer and with legal counsel on this issue.

46. May a local official run for the Texas Legislature if that office term overlaps with the upcoming legislative term?

Article III, section 19 of the Texas Constitution provides:

No judge of any court, Secretary of State, Attorney General, clerk of any court of record, or any person holding a lucrative office under the United States, or this State, or any foreign government shall during the term for which he is elected or appointed, be eligible to the Legislature.

This Constitutional provision applies to any holder of a "lucrative office" who wants to run for the Texas Legislature. Courts interpreting this provision have held that Article III, section 19, of the Texas Constitution will not disqualify a local official from running for the Texas Legislature even

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⁷⁷ Tex. Att'y Gen. LO-89-57.

⁷⁸ TEX. CONST. art. XI, § 11; Op. Tex. Att'y Gen. Nos. JM-553 (1986); JC-293 (2000); JC-318 (2000); JC-403 (2001).

⁷⁹ TEX. CONST. art. XVI, § 17; Op. Tex. Att'y Gen. Nos. DM-377 (1996); JC-293 (2000); JC-318 (2000); JC-403 (2001).

⁸⁰ Connick v. Myers, 461 U.S. 138 (1983); Pickering v. Board of Education, 391 U.S. 563 (1968); Vojvodich v. Lopez, 48 F.3d 879 (5th Cir. 1995); Click v. Copeland, 970 F.2d 106, 111 (5th Cir. 1992).

though the local office term overlaps with the legislative term. Nonetheless, the local official must resign from his office before filing for the legislature. ⁸¹ Failure to resign from the local position prior to filing for the legislature will result in the official being ineligible to run for the legislative seat.

In a recent case, the Texas Supreme Court held that a school board officer who received no compensation except reimbursement for expenses such as meals did not hold a lucrative office. 82

47. Are there criminal penalties for holding two conflicting public offices or other types of prohibited dual office holding?

State law does not provide criminal penalties for holding two conflicting public offices or for other types of prohibited dual office holding. The means for challenging such violations would be through a civil action in a district court.

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⁸¹ Wentworth v. Meyer, 839 S.W.2d 766 (Tex. 1992); Tex. Att'y Gen. LO-95-69.

⁸² In re Carlisle, 209 S.W.3d 93 (Tex. 2006).

MAY PARTICULAR DUAL OFFICE BE HELD BY AN INDIVIDUAL?

CITY COUNCIL

OFFICE	OFFICE	YES/NO	REASON	AUTHORITY
City council	Member of fire department	No	Incompatible	LO 97-034
City council	Police officer (different city)	Yes	Not incompatible	LO 93-27
City council	Teacher at state college	Yes	Article XVI, § 40 does not preclude if council member's salary is renounced	LO 93-37
City council	Chairman, board of director of university research foundation (non-profit corporation) (same city)	Yes	Allowed under Article XVI, § 40	JM-1065
City council	County commissioner	No	Incompatible	GA-15; LO 88-49
City council	School trustee, state college			LO 93-22; Thomas v. Abernathy County Line Indep.Sch.Dist.,290 S.W. 152
City council	Volunteer fire department (same city)	Yes	Not incompatible because city funds do not control	JC-199; <i>see</i> Tex. Loc. Gov'T CODE ANN. § 21.003 (adopted in response to JC-199).
City council	Director of a flood control district	Yes	Not incompatible	LO 96-064
City council	School board trustee (same city)	No	Incompatible	JM-634; JC-403
City council	Director of a county water authority	No	Incompatible	LO 92-68
City council	County special district employee	Yes	County special district employee is not a civil office under Article XVI, § 40	JM-1266
City council	School district employee	Yes May serve if do not receive compensation for council position		JM-118; MW-230; JM-1266
City council	Director of a navigation district Yes May serve if do not receive compensation for council position, not incompatible		JM-1266	
City council	Reserve police officer	No	Incompatible	JM-386
City council	County auditor	No	Incompatible	JM-133
City council	Fire chief (same city)	No	Incompatible	MW-432
City council Selective service board member Yes Article XVI, § 12		Article XVI, § 12	GA-57; allowed as long as selective service system is on standby (no draft)	
City council	Justice of the peace	No	Article XVI, § 65	JM-395

FIRE DEPARTMENT

OFFICE	OFFICE	YES/NO	REASON	AUTHORITY
Assistant fire chief	Deputy constable	Yes	Not incompatible & assistant fire chief is not a civil office under Article XVI, § 40	DM-156
City council	Fire chief (same city)	No	Incompatible	MW-432
City council	Volunteer fire department (same city)			LO-94-070; JC-199; see TEX. LOC. GOV'T CODE ANN. § 21.003 (adopted in response to JC-199)
Member fire department	City commissioner	No	Incompatible	LO-97-034
Building inspector	Fire chief (same city)	Yes	Allowed under Article XVI, § 40	State ex rel. Beicker v. Mycue 481 S.W. 2d 476

JUDGES

OFFICE	OFFICE	YES/NO	REASON	AUTHORITY
Municipal judge	Board of directors river authority	No	Article XVI, § 40	LO-97-027
Police officer	Municipal judge (different city)	Legally yes, but no	Not incompatible by law but unethical	LO-93-59. However, see State Commission on Judicial Conduct PS-2000-1
Municipal judge	Municipal judge (different city)	Yes	Article XVI, § 40	DM-428 said no;
Municipal judge	Elected junior college trustee	Yes	Not incompatible	JC-216
Part-time Municipal judge	Justice of the peace	Yes	Not incompatible	JM-819
City finance director	Temporary municipal judge	Yes	Not incompatible	GA-199
County commissioner	Municipal judge	Yes	Not incompatible	GA-348
Polygraph examiner for district attorney's office	Municipal judge	Unclear	State Commission on Judicial Conduct PS-2000- 1 may control	GA-551
County EMS employee	Municipal judge Justice of the Peace	Yes	Not incompatible	GA-569

POLICE AND LAW ENFORCEMENT OFFICERS

OFFICE	OFFICE	YES/NO	REASON	AUTHORITY
City council	Reserve police officer	No	Incompatible	JM-386
Police officer	Part-time security officers	Yes	Allowed under Article XVI, § 40	DM-212
Police officer	Municipal judge (different city)	Legally yes, but no	Not incompatible	LO-93-59. However, <i>see</i> State Commission on Judicial Conduct PS-2000-1

Police officer	City commissioner (different city)	Yes	Not incompatible	LO-93-27
Police officer	County road & bridge dept. employee	Yes	Not incompatible	JM-862
Asst. fire chief	Deputy constable	Yes	Not incompatible & assistant fire chief is not a civil office under Article XVI, § 40	DM-156
Marshal	Constable	No	Article XVI, § 40	Torno v. Hochstetler, 221 S.W. 623
Constable	Municipal fire fighter	Yes	Not incompatible	JC-270
Peace officer	Peace officer for different agency	Yes	Not incompatible	GA-214
Police chief	School board trustee	Yes	Not incompatible	GA-393
Constable	Deputy sheriff	Yes	Not incompatible	GA-402
Constable	Groundwater district board	No	Article XVI, § 40	GA-214; GA-0540
Assistant police chief	City administrator	No	Incompatible, self- employment	GA-536

SCHOOL EMPLOYEES AND OFFICERS

OFFICE	OFFICE	YES/NO	REASON	AUTHORITY
Teacher at state college	City commissioner	Yes	Article XVI, § 40 does not preclude if commissioner's salary is renounced	LO 93-37
Election clerk	Off-duty school district employee	Yes	Neither position considered civil office under Article XVI, § 40 & not incompatible	JM-862
City council	School district employee	Yes	May serve if do not receive compensation for council position	JM-118; MW-230; JM-1266
City council School board trustee (same city)		No	Incompatible	JM-634; JC-403
School district board trustee	Volunteer teacher	No	Incompatible	JC-371
School board trustee	County or precinct chair of political party	Yes	Not prohibited by section 161.005 of Election Code	JC-537
School board trustee	Groundwater conservation district	No	Incompatible	JC-557
School board trustee	County treasurer	Yes	Not incompatible and not under Constitution	JC-490
School board trustee	Teacher	No	Incompatible	LO-97-034; LO-90-045; LO-89- 057; LO-89-002; LA-114
School trustee college district	Municipal utility director	No	Incompatible	GA-32
School trustee state college	City council	No	Incompatible	LO-93-22, Thomas v. Abernathy County Line Indep. Sch. Dist., 290 S. W. 152

School trustee	Water improvement district board	No	Incompatible	GA-224
School trustee	County improvement district board	No	Incompatible	GA-307
Sheriff	School trustee	No	Incompatible	GA-328
Police chief	School trustee	Yes	Not incompatible	GA-393

MISCELLANEOUS CITY/COUNTY POSITIONS

OFFICE	OFFICE	YES/NO	REASON	AUTHORITY
City official	Political party precinct chair	Yes	Not incompatible	JC-562
(same county) are prohi		City att'y is not a civil office. Some county att'ys are prohibited, however, by Ch. 46 of Tex. Gov. Code from outside practice of law.	JC-0054	
Mayor	Hospital district director	No	Incompatible	JC-363
Director of a municipal utility district Member of planning and zoning commission		No	Incompatible	JC-339
County attorney Assistant county attorney of neighboring county		Yes	Not incompatible	GA-350
City manager Transit board		Yes	Not incompatible	GA-538

Guadalupe CAD

Property Search Results > 21630 SEWELL STEVEN J & CAROL A for Year 2016

Property

Account

Property ID: 21630 Legal Description: LOT: 34 BLK: ADDN: ELM CREEK ESTATES 0.7400

AC.

Geographic ID:

1G0905-0000-03400-0-00

Agent Code:

Type:

Real

Property Use Code:

Property Use Description:

Location

Address:

107 HEADWIND DR

Mapsco:

Neighborhood:

ELM CREEK AIR PARK

Map ID:

Q-10

Neighborhood CD:

1G0905-ALL

TΧ

Owner

Name:

SEWELL STEVEN J & CAROL A Owner ID:

137100

Mailing Address:

P O BOX 2460

% Ownership:

100.0000000000%

SEGUIN, TX 78156

Exemptions:

OTHER, HS

Values

(+) Improvement Homesite Value:

\$222,641

(+) Improvement Non-Homesite Value:

\$0

(+) Land Homesite Value:

\$37,266

(+) Land Non-Homesite Value:

\$0

Ag / Timber Use Value

(+) Agricultural Market Valuation:

\$0 \$0 \$0 \$0

(+) Timber Market Valuation:

(=) Market Value:

\$259,907

(–) Ag or Timber Use Value Reduction:

\$0

(=) Appraised Value:

\$259,907

(-) HS Cap:

\$3,520

(=) Assessed Value:

\$256,387

Taxing Jurisdiction

Owner:

SEWELL STEVEN J & CAROL A

% Ownership: 100.0000000000%

Total Value: \$259,907

Entity	Description	Tax Rate	Appraised Value	Taxable Value	Estimated Tax	Tax Ceiling
CAD	APPRAISAL DISTRICT	0.000000	\$259,907	\$256,387	\$0.00	

GCO	GUADALUPE COUNTY	0.331100	\$259,907	\$241,387	\$789.57	\$789.57
LTR	LATERAL ROAD	0.054000	\$259,907	\$241,387	\$130.35	\$132.51
SGS	SEGUIN ISD	1.420000	\$259,907	\$221,387	\$2,316.60	\$2,316.60
	Total Tax Rate:	1.805100				
			Taxes w/o	Taxes w/Current Exemptions:		
			Taxes w/o	Taxes w/o Exemptions:		

Improvement / Building

Improve #1:	ement RESIDENTIAL	State Code:	A1	Living Area:	22 94.0 sq	ft Val	ue: \$222,641
Туре	Description	Class CD	Exterior	Wall		Year Built	SQFT
RES1	MAIN FLR	R6-	BV-BRIC	K VNR,SV-ST	ONE VNR	2005	1494.0
AGF	ATT GARAGE-FIN	*				2005	563.0
CP	COV PORCH	*				2005	84.0
DECK	DECK-UNCOV	*				2005	180.0
CP	COV PORCH	*				2005	234.0
DECK	DECK-UNCOV	*				2005	117.0
AHA	AIRPLANE HANGER	RAHEH				1997	1800.0
GAPT	GAR APT	GA5+				1997	800.0

Land

#	Type	Description	Acres	Sqft	Eff Front	Eff Depth	Market Value	Prod. Value
1	ACRE	ACRE	0.7400	0.00	0.00	0.00	\$32,266	\$0
2	UTIL	UTILITY	0.0000	0.00	0.00	0.00	\$5,000	\$0

Roll Value History

Year	Improvements	Land Market	Ag Valuation	Appraised	HS Cap	Assessed
2017	N/A	N/A	N/A	N/A	N/A	N/A
2016	\$222,641	\$37,266	0	259,907	\$3,520	\$256,387
2015	\$207,304	\$30,840	0	238,144	\$5,065	\$233,079
2014	\$189,547	\$22,343	0	211,890	\$0	\$211,890
2013	\$210,900	\$22,343	0	233,243	\$0	\$233,243

Deed History - (Last 3 Deed Transactions)

#	Deed Date	Туре	Description	Grantor	Grantee	Volume	Page	Deed Number
1	3/26/2010	WD	WARRANTY DEED	BURES JOHN V & MAUREEN P	SEWELL STEVEN J & CAROL A	2854	0818	10-005188
2	7/25/2005	WD	WARRANTY DEED	KING J CRAIG	BURES JOHN V & MAUREEN P	2187	0900	05015048
3	3/19/1997	ОТ	OTHER		KING J CRAIG	1258	0800	0

Questions Please Call (830) 303-3313

Website version: 1.2.2.14 Database last updated on: 12/29/2016 8:21 PM

DATE: August 15, 2012		
TO: City Clerk		
FROM: Representative Carl L. Robinson		
ADDRESS: 2 Civic Center Plaza, El Paso, Texas 7	9901 TELEPHONE	(915) 541-4400
Please place the following item on the (Check one):	CONSENT XXX	REGULAR
Agenda for the Council Meeting of August 21, 20	The election to the Ad Hea C	houten Advisence Committee by Penracentative
Item should read as follows: Carl Robinson, Distric	t 4.	harter Advisory Committee by Representative
As determined, shall automat		
BOARD COMMITTEE/COMMIS	SION APPOINTMENT	REAPPOINTMENT FORM
NAME OF BOARD/COMMITTEE/COMMISSION:	Ad Hoc Charter Advisory	Committee
NOMINATED BY: Representative Carl Robinson		DISTRICT: 4
NAME OF APPOINTEE David Thackston	(Please verify correct spelling of name)	
E-MAIL ADDRESS:		
BUSINESS ADDRESS: 7700 Alabama		
CITY: El Paso ST: TX Z	ZIP: 79904	PHONE:
HOME ADDRESS:		
CITY: El Paso ST: TX Z	ZIP: 79904	PHONE:
DOES THE PROPOSED APPOINTEE HAVE A R	ELATIVE WORKING FO	R THE CITY? YES:
IF SO, PLEASE PROVIDE HIS OR HER NAME, (APPOINTEE: N/A	CITY POSITION AND RE	LATIONSHIP TO THE PROPOSED
WHO WAS THE LAST PERSON TO HAVE HELD T	THIS POSITION BEFORE I	T BECAME VACANT?
NAME OF INCUMBENT:	New Board	- v _i .
EXPIRATION DATE OF INCUMBENT:	N/A	-
REASON PERSON IS NO LONGER IN OFFICE (CF	RES	PIRED: IGNED IOVED
DATE OF APPOINTMENT:	08/21/2012	_
TERM BEGINS ON:	08/21/2012	
EXPIRATION DATE OF NEW APPOINTEE:	12/31/9999	-
PLEASE CHECK ONE OF THE FOLLOWING:	1 st TERM:	X
	2 nd TERM:	
	UNEXPIRED TERM:	

Biography/Resume

David Thackston

Office Address: 7700 Alabama El Paso, Texas 79904

Work Background

Currently: Owner/President of Marketing PROS — a sales, marketing and political consulting company in El Paso; Sales Associate with Brown & Bigelow — a marketing, incentives, recognition and promotional products company; Independent Associate with Pre-Paid Legal Services, Inc.

Oct. 2006 - July 2011: Outreach Marketing Specialist with the Texas Veterans' Land Board

Dec. 1995 – Oct. 2006: Owner/President of Marketing PROS; Secretary, Executive Director, Primary Election Administrator with the El Paso County Republican Party

2000 - 2013: Notary Public, state of Texas

Jan. 1995 – Dec. 1995: Advertising Sales Representative with Laven & Associates – publishers of the Ft. Bliss Monitor newspaper

July 1994 - Nov. 1994: Campaign Manager for Bobby Ortiz for U.S. Congress political campaign

1988 - July 1994: Owner/President of Marketing PROS

March 1982 – July 1988: General Manager/ Executive Editor – El Paso Business Review, subsidiary of the Katsam Company, publishers

Oct. 1980 – Mar. 1982: Sales Representative with Allen & Associates, a sales and marketing company specializing in membership sales for Chambers of Commerce.

July 1979 - Oct. 1980: Insurance Agent with the Don Henderson Penn Mutual Insurance

July 1975 – July 1979: Sales Clerk, Department Manager with J. C. Penney department store

Educational Background

1974 – 1977: University of Texas at El Paso – Bachelor of Business Administration in Management

1972 - 1974: University of Notre Dame, South Bend, Indiana

1972: Graduate of Irvin High School, El Paso Texas, Army ROTC scholarship

Boards, Committees & Civic Organizations

2006 - Present: El Paso Independent School Board Bond Accountability Committee

2008 - Present: Employer Support of the Guard and Reserve Texas Committee

2009 - Present: Model Cities, El Paso - Member, Board of Directors

2004 - Present: Sun Bowi Association - Basketball Committee

2003 - Present: Military Order of the World Wars, Commander, El Paso Chapter 2006-2007, Department Commander, Dept. of the Rio Grande July 2011- Present

2000 - 2008, 2010 - Present: State Republican Executive Committee, Secretary 2006-2008

1990 - Present: Sun Bowl Association - Parade Committee

1990 - Present: Paso del Norte National Issues Forum, steering committee member, panelist

1985 - 1996: Leadership El Paso Alumni Association, President 1993-1994

1982 – 1984: Junior Achievement of the Desert Southwest, Member, Board of Directors

1977 – 1994: Texas Jaycees, President - El Paso 1981-1982, District Director 1983-1984, 1988-1989, Regional Director 1984-1985, state Vice President 1985-1986

1974 – 1977: Pershing Rifles military fraternity, University of Texas at El Paso, Commander 1977

1972 - Present: Knights of Columbus, Deputy Grand Knight Notre Dame Chapter 1974

Military Background

1984 - Present: Captain, Inactive Individual Ready Reserve, United States Army Reserves

July 1977: Commissioned 2LT, United States Army Reserves

Awards and Recognitions

1985: Mary Dvorak Memorial Award for Outstanding Jaycee of the Year

1985: Graduate, Leadership El Paso Class VII

1996: Presidential Elector, United States Electoral College, State of Texas

Personal and Miscellaneous

1980 – Present: Roman Catholic Lay Eucharistic Minister, Military Diocese, William Beaumont Army Medical Center Catholic Community

Born: Munich, Germany - June 27, 1954, but claim to be an almost native El Pasoan

Marital Status: Single, never married, no children

Son of Robert and Mimi Thackston, father deceased 2004, primary care-giver for mother, Uncle to five, Great Uncle to 17 and Godfather to two Godsons.

Born in Munich, Germany, Mr. Thackston is the son and grandson of retired U. S. Army Lieutenant Colonels and a Captain in the United States Army Reserve, himself. As the son of an army officer, he traveled and lived all over the United States and Europe and attended many different schools. He is an Outreach Marketing Specialist with the Texas Veterans Land Board and a volunteer with the Employer Support of the Guard and Reserve. He is a past Commander of the El Paso chapter of The Military Order of the World Wars and currently serves as MOWW Commander of the Department of the Rio Grande which covers El Paso and all of New Mexico.

An alumnus of Irvin High School, the University of Texas at El Paso and The University of Notre Dame, he owns his own business, Marketing PROS, a local specialty advertising sales, marketing, public relations, printing, publishing and political consulting firm in El Paso and is an associate of Pre-Paid Legal Services, Inc.

Long active in the El Paso community, David is a past president of the El Paso Jaycees and past vice-president of the Texas Jaycees, a graduate of Leadership El Paso Class 7 and past president of the Leadership El Paso Alumni Association. He has served on many charitable, civic and community boards of directors and is on several Sun Bowl committees. He is currently serving on the El Paso Independent School District Bond Accountability Advisory Committee and on the board of directors of Model Cities, El Paso. He has won many awards and recognitions for his service to his community.

Politically, he is a Republican Party precinct chairman and a member of the State Republican Executive Committee 2002-2008 and 2010 to the present and was secretary of the Republican Party of Texas from 2006-2008. He was secretary of the El Paso County Republican Party from 1996-2010 and primary election administrator for each of the last eight primary elections held during the same time. David was the campaign manager for Bobby Ortiz, Republican nominee for the 16th District, U. S. Congress in 1994 and has consulted on many campaigns, both local and statewide since that time, including serving as west Texas coordinator for Governor Rick Perry's 2006 re-election campaign. He has been a delegate to the last four Republican National Conventions and served as the "Presidential Elector" to the Electoral College from the 16th Congressional District of Texas in December 1996, one of 535 people, nationwide, casting a direct vote for president of the United States.

Mr. Thackston is unmarried and has no children of his own, but has two nephews and three nieces, ranging in age from 29 to 40 and 15 great nephews and nieces, ranging in age from 1 to 20, most of which live in El Paso. He enjoys his large, close family. He attends church at the catholic chapel at William Beaumont Army Medical Center and has been a Catholic Lay Eucharistic Minister for 30 years.

Please welcome David Thackston.



PROPOSED CHARTER AMENDMENTS FACT SHEET

BACKGROUND

The City Council created an Ad Hoc Charter Advisory Committee in May. The committee hosted six meetings at various locations throughout the city. City Council directed the committee to review the following:

- Meetings
- Ordinances
- > Fiscal Year and Budget Procedures
- Mayor's Powers

Ad Hoc Charter Advisory Committee Members

Edward Beck
Joanne Gwinn Burt
Yolanda Giner
James Montoya
Enrique Moreno
Betty Spencer
David Thackston
Joe Wardy
Joyce Wilson

SUPPORTING DOCUMENTATION

Eight proposed charter amendments will be on the November 3, 2015, election ballot.

Proposition One – Definition of City Council

Amend definition of "City Council" to clarify that the Mayor is a non-voting member of City Council, and to specify that the Mayor should not be counted as a member of Council for matters requiring a super-majority (three-fourths) vote of all members of the governing body.

What does this mean?

❖ The Charter currently includes the Mayor in the definition of City Council even though he is not a voting member of the governing body. When a super majority of council is necessary to act, that requires one more extra vote, one more than necessary.

If this proposition is approved, a 3/4^{ths} super majority will be 6 votes, instead of 7.

Proposition Two – Other Employment by Council Member

Repeal City prohibitions regarding other public employment by City Council members and City employment by former City Council members, thereby deferring and conforming to state law. The City prohibitions are more prohibitive than state law requires.

What does this mean?

The Charter is more restrictive than State law with regard to types of jobs council members are permitted to hold while in office.

If the amendment is approved, the City of El Paso will be consistent with State Law.

Proposition Three – City Council Meetings

Require Council to hold regular meetings no less than once every other week, instead of once every week.

What does this mean?

Council currently meets weekly.

If approved, this change will allow the Council and City staff to perform more effectively and efficiently. It will provide City Council more time to address constituent concerns, and allow City staff more time to focus on priority projects and deliver results for the community rather than being tied up in numerous meetings every week preparing for weekly Council meetings.

Proposition Four – City Council Processes

- > Delete requirement that voting by Council shall be done by roll call, so as to allow Council to use electronic voting or other approved voting process.
- Clarify that actions that impose taxes, or grant franchises or leases, require a majority vote of the entire Council.

What does this mean?

This change will clean up outdated language that calls for a verbal roll call for voting during Council meetings. The City Council currently uses an electronic program for voting.

If approved, this amendment will align current technology with the voting process.

Proposition Five – Appointment of City Attorney

- > City Attorney appointed by entire City Council solely on the basis of legal experience and qualifications.
- City Attorney may be removed by resolution approved by a majority vote of City Council.
- Mayor shall not have any veto power over City Council for actions which remove the City Attorney.

What does this mean?

Currently the City Attorney is appointed by the Mayor with the approval of Council.

If this proposition is approved, the City Attorney will be appointed and discharged by the entire City Council. The Mayor will not be able to veto an action to terminate the City Attorney.

Proposition Six – Actions Requiring Ordinances

Allow the Council the option of utilizing a resolution for acts that do not require the use of an ordinance, including the conveyance, lease or grant of a franchise of City property, the adoption of an administrative code, and the establishment, abolishment or alteration of any City departments.

What does this mean?

The Charter requires conveyances of real estate, leases, grants of franchises, adoption of administrative codes, and abolishment and creation of City departments be done by ordinance.

If this proposition is approved those actions will be permitted by resolution in lieu of an ordinance thereby eliminating the need for two readings and newspaper publications.

Proposition Seven – Fiscal and Budget Year

Allow the City to change, by ordinance, the beginning date of the fiscal and budget year to October 1 and to allow for the necessary actions to be taken to effectuate the change. Most governmental entities begin their fiscal year on October 1.

What does this mean?

❖ If approved, this change will allow the City of El Paso to operate on the same fiscal year as most other governmental entities. It will allow City staff additional time to prepare a budget after tax rolls are certified in July, and to give City Council the most up-to-date and accurate information for deciding the next year's budget.

Proposition Eight – Budget Procedures

> Require only that which is required by State law as relates to budget adoption procedures.

What does this mean?

❖ If this proposition is approved, the City of El Paso will be consistent with State Law as it relates to budget adoption procedures.

###



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JOHN DILLARD





JOHN DILLARD

Research Services & Social Sciences Librarian

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dillard@uta.edu (mailto:dillard@uta.edu)

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Social Work Sociology

Political Science

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Tuesday - Wednesday: 6:00 pm-7:00 pm

Starbucks area in the University Center

Note: The easiest way to reach me is by email: dillard@uta.edu (mailto:dillard@uta.edu)



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1/2/2017 Head Acet: 0985480000028





Tax Year: 2016 \$

HARRIS COUNTY APPRAISAL DISTRICT REAL PROPERTY ACCOUNT INFORMATION 0985480000028

Print F-mail

File A Protest

Similar Owner Name

Nearby Addresses

Same Street Name

Related Map 5060C

Ownership History

Owner and Property Information

Owner Name & Mailing Address: FORSTER MARJORIE M 9626 SPRINGVIEW LN

HOUSTON TX 77080-1242

Legal Description: LT 28 BLK 3 **KEMPWOOD NORTH**

Property 9626 SPRINGVIEW LN

Address:

HOUSTON TX 77080

Land Use Code

State Class Code

A1 -- Real, Residential, Single-Family

1001 -- Residential Improved

Land Area Total Living Area Neighborhood

Neighborhood Group

Market Area

Map Facet Key Map®

16,010 SF

2,359 SF

7781

25035

390 -- ISD 25 - North of I-10 Outside Memorial Villages

5060C

450K

Value Status Information

Value Status

Notice Date

Shared CAD

Noticed 03/31/2016

No

Exemptions and Jurisdictions

Exemption Type

Districts Jurisdictions Exemption Value

ARB Status

2015 Rate

2016 Tax Rate Bill

Residential Homestead

025

SPRING BRANCH ISD

80,737

Certified:

1.394500 1.394500

1/2/2017 Head Acet: 0985480000028

(Multiple)				08/12/2016	
	040	HARRIS COUNTY	200,737	Certified: 08/12/2016	0.419230 0.416560 View
	041	HARRIS CO FLOOD CNTRL	200,737	Certified: 08/12/2016	0.027330 0.028290 View
	042	PORT OF HOUSTON AUTHY	200,737	Certified: 08/12/2016	0.013420 0.013340 View
	043	HARRIS CO HOSP DIST	200,737	Certified: 08/12/2016	0.170000 0.171790 View
	044	HARRIS CO EDUC DEPT	200,737	Certified: 08/12/2016	0.005422 0.005200 View
	061	CITY OF HOUSTON	200,737	Certified: 08/12/2016	0.601120 0.586420 View
	793	SPRING BRANCH MGT DIST	0	Certified: 08/12/2016	0.100000 0.000000

Texas law prohibits us from displaying residential photographs, sketches, floor plans, or information indicating the age of a property owner on our website. You can inspect this information or get a copy at HCAD's information center at 13013 NW Freeway.

1/-	۱I د	12	t٠	\sim	ns
vc	311.	a	u	u	115

	Value as of January 1, 2015		Value as of January 1, 2016	
	Market	Appraised	Market	Appraised
Land	91,340	Land	91,340	
Improvement	147,335	Improvement	147,335	
Total	238,675	185,167 Total	238,675	203,683
		5-Year Value History		

Land

Market Value Land

Line	Description	Site Code	Unit Type	Units	Size Factor	Site Factor	Appr O/R Factor	Appr O/R Reason	TULAT	Unit Price	Adj Unit Price	Value
1	1001 Res Improved Table Value	SF1	SF	6,825	1.00	1.00	1.00		1.00	8.00	8.00	54,600.00
2	1001 Res Improved Table Value	SF3	SF	9,185	1.00	0.50	1.00		0.50	8.00	4.00	36,740.00

Building

Building	Year Built	Туре	Style	Quality	Impr Sq Ft	Building Details
1	1966	Residential Single Family	101 Residential 1 Family	Average	2,359 *	Displayed

* All HCAD residential building measurements are done from the exterior, with individual measurements rounded to the closest foot. This measurement includes all closet space, hallways, and interior staircases. Attached garages are not included in the square footage of living area, but valued separately. Living area above *attached* garages is included in the square footage living area of the dwelling. Living area above *detached* garages is not included in the square footage living area of the dwelling but is valued separately. This method is used on all residential properties in Harris County to ensure the uniformity of square footage of living area measurements district-wide. There can be a reasonable variance between the HCAD square footage and your square footage measurement, especially if your square footage measurement was an interior measurement or an exterior measurement to the inch.

Building Details (1)

Building D	Pata	Building Areas
Element	Details	Description Area
Cond / Desir / Util	Good	BASE AREA PRI 1,228
Foundation Type	Slab	MAS/BRK GARAGE PRI 420
Grade Adjustment	C+	OPEN FRAME PORCH PRI 102
Heating / AC	Central Heat/AC	BASE AREA UPR 984
Physical Condition	Average	MAS/CONC PATIO PRI 144
Exterior Wall	Frame / Concrete Blk	ATTIC FINISHED 147
Exterior Wall	Brick / Masonry	
Element	Units	
Room: Total	7	
Room: Full Bath	2	
Room: Bedroom	4	
Fireplace: Masonry Firebrick	1	

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PLEASE NOTE: 2017 TAXES ARE PRELIMINARY. (X)

Tax Year: 2016

Account Details

Property Detail

Account Number: 17150001800 (38258-1/7619)

Print Summary (/print/38258-1)

(/print-preview/38258-1)

Owner Name: RHYMES, MOSE JR & MARTHA

Mailing Address: 5806 WINCHESTER DR TEXARKANA, TX 755034601

Situs Address: 5806 WINCHESTER

TEXARKANA

Google Map (http://maps.google.com/maps?q=5806%20WINCHESTER%20TEXARKANA%20TEXARKANA%20TX)

NORTHRIDGE COUNTRY EST **Legal Description:**

> PT LOTS 3 4 3233/122 03/17/00 BLK/TRACT 2 0.56 ACRES

Account Details

Exemptions: General Homestead

Owner Percentage: 100.0%

Deed Date:

Last Date to Protest: 5/12/2016

Value Information

Land: 30,000 Ag Market: 311,078 Ag Productivity: Improvements: Personal: **Timber Market:** Mineral: **Timber Productivity**

Market Value: 341,078 **Productivity Loss:**

Appraised Value: 341,078 **Homesite Cap Loss:**

2016 - Current Year Values Five Year Historical Values						
Code	Jurisdiction Name	Appraised	Exemptions	Taxable		
	BOWIE APPRAISAL DIS	341,078		341,078		
	TEXARKANA COLLEGE	341,078	5,000	336,078		
	TEXARKANA ISD	341,078	35,000	306,078		
	TEXARKANA CITY	341,078	5,000	336,078		
	BOWIE COUNTY	341,078	74,216	266,862		

BOWIE CENTRAL APPRAISAL DISTRICT

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Additional Links 🕶



Government Salaries Explorer

Search for an employee by last name or job title

Ex: "Perry" or "Attorney General"

Search

University Hospital / UT Southwestern Medical Center / Aston Ambulatory Care Center / Mgr Occ Hlth Rn /

Sherry Clark

Mgr Occ HIth Rn in Aston Ambulatory Care Center, a department of UT Southwestern Medical Center

Data last updated on 8/31/2015 Download this data

White Race **5/21/2007** Hire date

Female
Gender
\$95,220
Gross annual salary

1 What do these numbers mean and why are they public?

Top compensations in Aston Ambulatory Care Center

Name	Hire date	Compensation
Stacey Clark	1/6/1997	\$180,945
Teresa Ann Lombardi	9/1/2014	\$130,000
Marvin E. King	11/17/2014	\$125,000
Steve Whitson	2/6/2012	\$107,500
Nene Fortune Ugochukwu	8/17/2015	\$100,000

Top Mgr Occ HIth Rn compensations at Aston Ambulatory Care Center

Name	Hire Date	Compensation
Sherry Clark	5/21/2007	\$95,220

ABOUT

The Texas Tribune obtained this information under the Texas Public Information Act.

DEVELOPMENT

Dan Hill

News Apps Developer | @DanHillReports

Alex Duner

News Apps Intern | @asduner

Travis Swicegood

@tswicegood

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Ryan Murphy

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Daniel Craigmile

Software Engineer | @x110dc

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Managing Editor | @ayanmittra

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Ben Hasson

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Emily Ramshaw

Editor | @eramshaw

Todd Wiseman

Multimedia Producer | @Wisemeister

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Residential Account #00000368857000000

Location Owner Legal Desc Value Main Improvement Additional Improvements Land Exemptions Estimated Taxes History

Property Location (Current 2017)

Address: 8633 FOREST HILLS BLVD

Neighborhood: 3DSG09 Mapsco: 37-V (DALLAS)

DCAD Property Map

2016 Appraisal Notice

Electronic Documents (ENS)

File Homestead Exemption Online



Print Homestead Exemption Form

Owner (Current 2017)

FISCHER SUSAN E 8633 FOREST HILLS BLVD DALLAS, TEXAS 752184024

Multi-Owner (Current 2017)

Owner Name	Ownership %
FISCHER SUSAN E	100%

Legal Desc (Current 2017)

1: LAKE CREST

2: BLK 3/5224 LT 22

3:

4: VOL96225/2238 DD110896 CO-DALLAS

5: 5224 003 022 3005224 003

Deed Transfer Date: 11/14/1996

Value

2016 Certified Values					
Improvement:	\$102,820				
Land:	+ <u>\$135,000</u>				
Market Value:	=\$237,820				
Capped Value: \$208,417					
Revaluation Year:	2016				
Previous Revaluation Year:	2015				

Main Improvement (Current 2017)

Building Class	04	Construction Type	FRAME	# Baths (Full/Half)	1/ 0
Year Built	1936	Foundation	PIER AND BEAM	# Kitchens	1
Effective Year Built	1936	Roof Type	HIP	# Bedrooms	3
Actual Age	81 years	Roof Material	COMP SHINGLES	# Wet Bars	0
Desirability	FAIR	Fence Type	WOOD	# Fireplaces	1
Living Area	1,950 sqft	Ext. Wall Material	FRAME	Sprinkler (Y/N)	N
Total Area	1,950 sqft	Basement	NONE	Deck (Y/N)	N
% Complete	100%	Heating	CENTRAL FULL	Spa (Y/N)	N
# Stories	ONE AND ONE HALF STORIES	Air Condition	CENTRAL FULL	Pool (Y/N)	N

1/2/2017 DCAD: Residential Acct Detail

Additional Improvements (Current 2017)

No Additional Improvements.

Land (2016 Certified Values)

#	State Code	Zoning	Frontage (ft)	Depth (ft)	Area	Pricing Method	Unit Price	Market Adjustment	Adjusted Price	Ag Land
1	SINGLE FAMILY RESIDENCES	SINGLE FAMILY DISTRICT 7,500 S	50	150	7,871.0000 SQUARE FEET	FLAT PRICE	\$135,000.00	0%	\$135,000	N

* All Exemption information reflects 2016 Certified Values. *

Exemptions (2016 Certified Values)

	City	School	County and School Equalization	College	Hospital	Special District
Taxing Jurisdiction	DALLAS	DALLAS ISD	DALLAS COUNTY	DALLAS CO COMMUNITY COLLEGE	PARKLAND HOSPITAL	UNASSIGNED
HOMESTEAD EXEMPTION	\$41,683	\$45,841	\$41,683	\$41,683	\$41,683	\$0
Taxable Value	\$166,734	\$162,576	\$166,734	\$166,734	\$166,734	\$0

Exemption Details

Estimated Taxes (2016 Certified Values)

	City	School	County and School Equalization	College	Hospital	Special District
Taxing Jurisdiction	DALLAS	DALLAS ISD	DALLAS COUNTY	DALLAS CO COMMUNITY COLLEGE	PARKLAND HOSPITAL	UNASSIGNED
Tax Rate per \$100	\$0.7825	\$1.282085	\$0.252371	\$0.122933	\$0.2794	N/A
Taxable Value	\$166,734	\$162,576	\$166,734	\$166,734	\$166,734	\$0
Estimated Taxes	\$1,304.69	\$2,084.36	\$420.79	\$204.97	\$465.85	N/A
Tax Ceiling	N/A	N/A	N/A	N/A	N/A	N/A
Total Estimated Taxes:						\$4,480.67

DO NOT PAY TAXES BASED ON THESE ESTIMATED TAXES. You will receive an **official tax bill** from the appropriate agency when they are prepared. Please note that if there is an Over65 or Disabled Person **Tax Ceiling** displayed above, **it is NOT reflected** in the Total Estimated Taxes calculation provided. Taxes are collected by the agency sending you the **official** tax bill. To see a listing of agencies that collect taxes for your property. **Click Here**

The estimated taxes are provided as a courtesy and should not be relied upon in making financial or other decisions. The Dallas Central Appraisal District (DCAD) does not control the tax rate nor the amount of the taxes, as that is the responsibility of each Taxing Jurisdiction. Questions about your taxes should be directed to the appropriate taxing jurisdiction. We cannot assist you in these matters. These tax estimates are calculated by using the most current certified taxable value multiplied by the most current tax rate. It does not take into account other special or unique tax scenarios, like a tax ceiling, etc.. If you wish to calculate taxes yourself, you may use the TaxEstimator to assist you.

History

History

THE HARRIS COUNTY ELECTRONIC ABSENTEE SYSTEMS FOR ELECTIONS (EASE) TECHNICAL PROPOSAL COVER PAGE

- 1) <u>Catalog of Federal Domestic Assistance (CFDA) Number:</u> 12.217
- 2) <u>BAA Number:</u> HQ0034-FVAP-11-BAA-0001.
- 3) <u>Title of Proposal:</u>
 The HARRIS County Electronic Absentee Systems for Elections Program.
- 4) CAGE Code and DUNS Number:
- 5) <u>Identity of applicant and complete list of contractors, and/or sub recipients:</u>
 The applicant is Harris County Commissioners Court on behalf of the Harris County Clerk's Elections Department. The EASE Project will be almost entirely subcontracted with funding awarded through an open, transparent process.
- 6) Technical Contact:
 Mr. Jason Williams
 Director of Information Technologies
 301 Caroline, Suite 400
 Houston, Texas 77002
 713-755-6434
 jbwilliams@cco.hctx.net
- 7) Administrative/Business Contact:
 Ms. Sonya L. Aston
 Assistant Administrator of Elections

1001 Preston Street, Suite 400 Houston, Texas 77002 713-755-5792

saston@cco.hctx.net

8) Proposed Period of Performance: October 1, 2011 June 30, 2012

21 December 2011 through 30 November 2016

Signature.

Name: STAN STANART

Date: //-/3-/3

TABLE OF CONTENTS

Technical Approach	1
Executive Summary	1
Goals and Objectives	2
Schedules and Milestones	7
Reports	8
Management Approach	9
Current and Pending Project Proposal Submissions	17
Qualifications	18
Budget Proposal	26

Harris County, Texas County Clerk, Elections Division

Electronic Absentee Systems for Elections (EASE) Grants For States, Territories and Localities Solicitation number HQ0034-FVAP-11-BAA-0001

Technical Approach

Executive Summary

Harris County, Texas has close to two million registered voters in the most populous county in Texas and the third most populous in the nation. Harris County has a very diverse global economy that continually has registered voters working and traveling around the world. Additionally, there is a significant military community that has been deployed overseas as well as in the United States outside of Texas. There are even registered voters working in outer space during elections. Every year there are approximately 10,000 military and overseas ballots sent out during an election. Harris County Clerk's Office continually strives to provide excellent customer service for Harris County voters while maintaining confidentiality, security and integrity in the election process.

With the advent of the internet, many modern day processes are achievable electronically. However, to date, processing the federal postcard applications electronically has not been sufficiently developed. Our office has worked tireless to provide the correct ballot to those voters overseas. This is a very labor intensive process, and due to detail-oriented employees, the process has resulted in very few reported failures. It is the desire of the Harris County Clerk's Election Division to automate as much as possible the e-mail federal postcard application and ballot process.

Harris County is seeking \$512,131.96, in order to purchase equipment and subcontract with a programming company to develop and implement a user-friendly automated and efficient absentee voting system for overseas voters from Harris County. This program will necessitate travel, training, and supplies to implement.

E-mail was used for the first time to deliver ballots from Harris County to overseas voters in November of 2010. The return rate for the e-mail ballots for military overseas was almost 4 times higher than mailed ballots to military overseas and the return rate for civilian overseas was double that of the mailed ballots.

Goals and Objectives

The Goal of the Harris County EASE Program is as follows:

• Improve the voting experience of UOCAVA voters, reduce voting impediments faced by them, and stimulate the development of innovative approaches to absentee voting by UOCAVA voters.

The Objectives of the Harris County EASE Program are as follows:

- Establish and operate a successful, sustainable, and affordable electronic system for voting by Uniformed and Overseas Citizens Absentee Voting Act (UOCAVA) voters;
- Increase the percentage of ballots that are successfully returned by UOCAVA voters;
- Improve the convenience of voting;
- Reduce the failure rates of UOCAVA voters experienced in each stage of the absentee voting process (such as voter registration, absentee ballot request, blank absentee ballot delivery, absentee ballot marking, absentee ballot tabulation, and absentee ballot return verification) specific to Harris County; and,
- Provide the Department of Defense a model and infrastructure of UOCAVA voting that can be replicated regionally and nationally.
- Ensure security measures are instituted to protect users' personal identifying information and any transmitted election material.

The Harris County EASE program will be designed to be accessible and efficient as allowed by law for the UOCAVA voter. Presently, the UOCAVA voter may contact the office through phone, mail, fax and e-mail. The application may be received by fax, mail or e-mail. The Ballot can only be received by mail unless the voter is in a war zone. If the voter is in a war zone, the voter may fax to the Department of Defense who in turn faxes the ballot to Harris County. The Harris County EASE program will allow all UOCAVA voters to register to vote, apply for a ballot, request a sample ballot, download a ballot, mark the ballot online, have the voter's selections recorded securely by a unique identifier such as a bar code, track the progress of the voter's transactions.

There are a number of processes that can be developed by Harris County's dedicated staff and its current vendor, Votec; however, the majority of the heavy programming will need to be conducted by a subcontractor to Harris County Clerk's Elections Division.

Significance

Feature	Benefit				
Tracking the registration and ballot	User-friendly information will be available to the				
processing procedure	UOCAVA voter online				
Online Voter Registration	Automatic update to the Voter Registration Database,				
	VEMACS which can be programed to automatically				
	communicate to the voter via e-mail or mail as directed by				

	the voter.				
Online Voter Information Update	Voters will be able to update their records and ensure that				
	their address information is correct and thereby reducing				
	the amount of undeliverable mail.				
Online Ballot Application	Automatic recordation of ballot application in VEMAC				
	which will generate confirmation e-mail one week prior to				
	mailing the ballot. Secure automatic ballot delivery as				
	directed by Harris County Elections Division.				
Automatic Ballot Duplication	Capture ballot selections by voter online in a secure coded				
	method that will allow the County to immediately access				
	voter's selections from the mailed in ballot and print out				
	the ballot in a County-compatible format to be processed.				
	Human error will be reduced.				

Sustainable

Feature	Benefit				
Tracking System	• Harris County will be able to monitor and evaluate the process and determine where the vulnerabilities of the process are the greatest so that these vulnerabilities can be addressed and further create a user-friendly online system for the UOCAVA voter.				
Harris County controlled server	 Maintain security of the process and ballot selection information. Reduce annual fees 				
Standard equipment that can be used by any jurisdiction	 Equipment will not be specialized; therefore, easily maintained and updated as technology develops. Reduce need to update equipment or go through expense certification process. Other jurisdictions will be able to use the same equipment without being locked into a particular vendor. 				

Impact

Feature	Benefit			
Tracking System	Will increase the confidence of the UOCAVA voter.			
Online Voter Registration	The ease of registration will positively impact the ability			
	for UOCAVA eligible applicants to register in Harris			
	County and result in an increase of applicants.			
Online Voter Information Update	Will reduce the number of ballots that are returned as			
	undeliverable by at least 10% progressively each election			
	as more voters become aware of the process.			
Online Ballot Application	• Will create a means for Harris County Elections			
	Division to notify the voter of the ballot to be received			

	within a certain time frame, keeping the voter engaged. Ease of accessibility will increase the number of voters to request a ballot			
Automatic Ballot Duplication	 Reduce human error Speed up the process Allow more ballots to be processed by the same number of employees 			

Strategic Approach

Feature	Benefit			
Tracking System	Due to the cumbersome process and length of time,			
	UOCAVA may not have the faith in the system as the			
	system deserves. However, being able to track the process			
	will increase the confidence that the UOCAVA voter will			
	have in the system and generally benefit participation of			
	the UOCAVA. Statistics for the 2008 and 2010 elections			
	will set the benchmark for evaluating the benefits of the			
	Harris County EASE program.			
Online Voter Registration	UOCAVA applicants will be able to register closer to the			
	time of the election without concern of not being counted.			
Online Ballot Application	The Ballots will arrive faster and allow more time for the			
	voter to research the candidates and return the ballot by			
	mail.			
Automatic Ballot Duplication	Less human error and ability to process the increase in			
	ballots that are expected.			

Innovation

Feature	Benefit		
Online processes	Increase availability to UOCAVA voter		
	Ballot errors reduced		
	Increased confidence in the system		
Automatic Ballot Duplication	The use of a unique identifying code that records the ballot		
	selection securely will speed up the process significantly.		

Scalability

Feature	Benefit		
All eligible UOCAVA voters from Harris County will have access to the program.	• With more users, the automated process will accommodate more voters		
The system will be designed to be adaptable by other Texas	• Increase in the participation of UOCAVA eligible voters		

jurisdictions	

Collaborative - Harris County is a leader in the state and the nation in operating elections in the United States and has readily shared information and processes as appropriate.

Feature	Benefit			
Development of Tracking System	Allows Harris County Elections Division to evaluate the			
	benefits of the program and share the information with Texas Counties and the Secretary of State			
Development of Online	Once the program has been developed, the program can			
Participation	be made available to any jurisdiction.			
	Harris County will meet with other jurisdictions to raise			
	any issues that need to be addressed			
	Harris County is a leader in Texas as well as the nation			
	on Elections and will share the information that is			
	generated.			
Automatic Ballot Duplication	Once the program has been developed, the program can			
	be made available to any jurisdiction.			
	Harris County will meet with other jurisdictions to raise			
	any issues that need to be addressed			
	Harris County is a leader in Texas as well as the nation			
	on Elections and will share the information that is			
	generated.			

Cost Benefit Analysis

Feature	Benefit		
Tracking	Reduce employees hours spent responding to queries		
Online Participation	Reduce employee hours spent responding to individual requests and individually selecting ballots		
	Increase participation by UOCAVA voters		
Automatic Duplication	Reduce employee hours spent duplicating ballots		

The procured system will also offer two sets of functionality: one for the Harris County Elections Division and one for the UOCAVA voter.

For the Elections Division:

- There will be a "back office" website. It will be a secure portal for election and voter management as well as a tool for generating reports and statistics. The service provider will train the Elections Division on how to maneuver through this portal.
- Ballots will be created electronically.
- A voter management module will allow the Elections Division to synchronize the list of eligible voters with the list of maintained registered voters.

For the UOCAVA voter:

- There will be on-screen marking capabilities which ensure that voter error is reduced.
- There will be a bar code on absentee ballot envelopes.
- Voter fraud will be reduced by authenticating email addresses and unique serial numbers.
- A "news feed" will provide UOCAVA voters with information on an as needed basis.
- A ballot return tracking system that allows the UOCAVA voter to track the status of the mailed ballot.
- There will be a "Frequently Asked Questions" (FAQ) hyperlink.
- Sample ballots will be made available online.

Current versus Proposed Failure Rates:

Overseas voters have a much harder time casting ballots successfully than those individuals who reside in the community and are usually walking distance from their polling location. During the last Gubernatorial election (November, 2010), for example, there were 9,204 Federal Post Card Applications (FPCAs) requested. All were mailed. However, 2,037 (22%) were sent to an address that was "undeliverable" for Harris County residents compared to less than one percent for undelivered mail-in ballots sent in Harris County. Only 2,108 (23%) of the overseas Harris County ballots were actually returned successfully.

The Harris County EASE has the potential to double the number of ballots that are successfully returned and cast. Instead of using "snail mail" to deliver ballots overseas and having 23% be returned to the sender, those 77% who were not able to have their vote counted would simply log onto their nearest computer and download the ballot off the internet.

The Harris County EASE Program also has the potential to expedite the process of requesting a ballot. Currently, overseas voters receive a hard copy ballot in the mail. This process can sometimes take up to two weeks. Under the Harris County EASE Program, the ballot can be sent to the overseas voter electronically thereby reducing the time it takes to get to the voter.

Security Measures to Protect Ballot Integrity:

The Harris County EASE Program will include a feature that allows for ballots to be marked electronically prior to being printed. This will allow for voter intent to be very clear from the Elections Department point of view and will prevent issues analogous to "hanging chads."

Moreover, there will be safeguards to ensure "one person, one vote." Specifically, each voter's ballot will have a unique serial number/bar code that is not only electronic, but on the printed ballot itself.

Schedule and Milestones

The Harris County EASE development project will begin September 1, 2011 (assuming the grant money is made available by that time).

Key Activity (What?)	Timeframe (When?)	Responsible Party (Who?)	Progress Report
Grant Award.	9/1/11	Department of Defense	Quarterly
		(DoD)	Reports.
Hire Systems Programmer.	10/1/11	John German, Harris County Administrator of Elections	n/a.
Post Request for Proposal (RFP)	11/1/11	Harris County Purchasing	n/a.
for Subcontractor of UOCAVA		Department	
System.			
Award UOCAVA System	12/1/11	Harris County Purchasing	n/a.
Subcontract.		Department	
Strategic Planning Orientation	12/15/11 –	John German, Harris	Report to
- Kickoff Meeting.	1/15/12	County	DoD on
- Job Specification.			2/1/12.
Implementation Plan and			
Timetable.			
Build the System	1/15/12 -	Votec (Harris County	Report to
- Harris County Delivers	2/1/12	current Voter Registration	DoD on
Ballot Data.		and Election database	2/15/12.
- Harris County Delivers		contractor) and	
Voter Registration Data.		Subcontractor	
- Draft Election Built.			
- Draft Voter Registration			
Credentials Loaded.			
- Test the System.			
Primary Election Timetable	2/1/12 - 4/1/12	John German, Harris	Report to
(including runoff).		County	DoD on
			4/15/12.
General Election Timetable.	10/1/12 -	John German, Harris	Report to
	12/1/12	County	DoD on
			12/15/12.
Final Report to DoD.	1/15/13	John German, Harris	Report to
1		County	DoD on
			1/15/13.
Post Election Support.	1/15/13 -	Subcontractor	n/a.
	1/15/17		

Reports

The prospective vendor will be asked to comply with a schedule of reports that is determined by the Department of Defense (DoD). These reports will be submitted to the Harris County Elections Division and will be submitted by the Elections Division to the DoD. The reports will be based on milestones, reduction in failure rates of UOCAVA voters in the various stages of the absentee voting process, and other relevant data. These reports will be of four major types:

Type of Report	Timeframe
Programmatic and Financial Progress Reports.	Quarterly.
Data Collection Points Reports.	Post Primary Election and
 Number of UOCAVA Visitors to the Website. 	General Election.
 Number of Ballots Downloaded. 	
 Delivery Method Requested/Downloaded. 	
Final Report	Post Grant Period.
Significance.	
Sustainability.	
• Impact.	
Strategic Approach.	
• Innovation.	
Scalability.	
Collaboration.	
Cost/Benefit.	
Standard Reports that are currently sent to the U.S. Elections	Post Primary Election and
Assistance Commission and the Texas Secretary of State.	General Election.

Management Approach

Key personnel:

Internal Personnel: The Harris County Elections Division will oversee the project utilizing their professionals, processes, equipment, significant knowledge and infrastructure. Participating parties will include the Harris County Clerk's ITC Division, Harris County's ITC Department, the Harris County Tax Assessor-Collector, Votec, the Texas Secretary of State.

The Harris County Elections Division is led by Mr. John German who has served Harris County for over 40 years and 9 years as the Administrator of Elections. Prior to work as Administrator, Mr. German oversaw the Information Technology Department for the Harris County Clerk, honing his significant technical skills. Recently, Mr. German led the Elections Division to success after overcoming a devastating fire that destroyed all voting equipment for Harris County 67 days before the November 2010 election.

Harris County Employee	Title	Skills
Stan Stanart	County Clerk	Elected Official – oversight,
		technical skills
John German	County Clerk Elections	Department Head –
	Division - Administrator of	oversight, technical skills – 9
	Elections	years
Jason Williams	County Clerk -	
Sonya Aston	County Clerk Elections	Assistant Department Head –
	Division - Assistant	4 years Voter Registration,
	Administrator of Elections	Attorney
Jennifer Ballard	County Clerk Elections	Manager of Overseas Ballot
	Division	Process and Ballot By Mail
Tom Moon	Tax Assessor-Collector -	Department Head – technical
	Voter Registration – Director	skills
	of Voter Registration	

External Personnel: Harris County will identify a programming consultant to participate substantially in the larger projects through an open and transparent process. Additionally military overseas voters, civilian overseas voters, military organizations, consulate offices, political parties, and election officials from other jurisdictions will be consulted to provide the most efficient and effective product.

Past, Present, or Proposed Collaborative Activities with other Institutions/Entities

Harris County Clerk's Elections Division has been a leader in the state and in the nation in developing and using electronic voting machines. Harris County's vendor, HART InterCivic has worked closely with and frankly depended on Harris County to troubleshoot and develop solutions for issues that arose due to the sheer volume of polling locations and ballot styles.

Harris County always works closely with the Secretary of State to develop policies that work for any population size of a county. In the Fall of 2010, Harris County experienced a devastating fire that destroyed every single piece of equipment in the Elections Department. Due to the close working relationship that Harris County has with all of the counties in Texas, equipment, support and well wishes flooded Harris County. Against all odds, the November 2010 Election was fully staffed and equipped and was successfully executed. Harris County's success can be attributed to:

- The necessity to manage elections for close to 2 million registered voters in over 850 election precincts with one of the largest ballots in the nation,
- The necessity to provide election materials in three different languages,
- The technological support that is included in the Elections Division and the County Clerk's ITC Division,
- The desire of the leadership of Harris County to be on the forefront of providing the best and most secure methods of voting to Harris County,
- The international work force in Harris County brings many ideas and concerns from around the world and Harris County responds to those concerns to provide a fair and secure election process.
- The Elections Division has highly trained employees who attend the Secretary of State programs regularly, as well as having a CERA Certified employee, attorney.

Strategic Goals

The initial strategic goal of the Harris County Elections Division is to enhance service to UOCAVA voters in a cost-effective, collaborative, and sustainable manner by automating the processes through database programming, web technologies and internet access. Harris County Elections Division's goal is to reduce the number of outdated addresses and increase the amount of automation in the process.

Simultaneously, Harris County Elections Division will use the same technology to address the mail-in ballot process for voters residing in Harris County or temporarily outside of Harris County.

Methodology of Approach

The Harris County Elections Division will work with various stakeholders to design a multiphase program.

The tracking portion will allow the UOCAVA voter to monitor the progress of their application, their ballot delivery, ballot receipt and ballot process. This system will also allow the Harris County Elections Division to monitor the process of applications coming in and ballots being delivered and returned, a useful managerial and statistical tool.

Working with Voter Registration, the Harris County Elections Division plans to design a program that will automatically populate the existing Voter Registration database from the receipt of electronic voter registration documents from UOCAVA voters. Once in the database,

the ballot style will be determined and eventually automatically delivered to the UOCAVA voter. The database will also be used to send e-mail and/or mail to the UOCAVA voters to communicate any necessary information.

The Online Voter Address update will be a simple vehicle to allow UOCAVA voters to update their address electronically and thereby decreasing the undeliverable rate.

The Online Ballot will allow UOCAVA voters to make their selections online and then print out the ballot to be mailed back to Harris County. The electronic version will be easier to read and duplicate, reducing human error.

Automatic Duplication can be achieved by adding a bar code or some other technology to hold the UOCAVA voter's selection. Once the ballot is received in the mail, the Harris County Elections Division employee will be able to merely scan the bar code and immediately duplicate the ballot. There will still be the necessity of a team of two persons reviewing the mailed in ballot and the computer generated ballot to ensure consistency.

The Harris County Elections Division will approach the goals of the UOCAVA voter for this grant by

- Identifying the following
 - o Labor intensive portions of the process
 - o Low response factors from the UOCAVA voters compared the general electorate
 - o High costs of the FPCA process
- Gathering data to benchmark the following
 - o Labor intensive portions of the process
 - o Low response factors from the UOCAVA voters compared the general electorate
 - o High costs of the FPCA process
- Developing plan of improvement
 - o Working with current vendor Votec
 - o Working with vendor to be announced
 - o Consulting with stakeholders for input
- Execute the plan of improvement
 - o Working with vendors to implement the plan
- Assess progress on a monthly basis
- Develop long-term solutions through the execution of the improvement plan

The Harris County Elections Division will begin the program as soon as possible to have as much of the programming and development completed by January to be used in the March 2012 Primary Elections. This election will be the testing waters for the November 2012 Presidential Election.

Definition and Formalization of the Applicants Strategic Goals

The Harris County Elections Division will pursue strategic goals via multiple channels as defined below:

- 1. Tracking system: this will be an affordable, sustainable electronic tool to improve the voting system. In addition to the benefits to the UOCAVA voter, the Election Division will gain easily accessible valuable statistical analysis reporting.
- **2. Voter registration:** integration of FPCA processes with existing voter registration databases to generate automatic responses, both e-mail and postal mail, to the application process. This portion of the program is designed to increase UOCAVA voter turnout;
- **3. Voter Address:** work with stakeholders to increase the probability of maintaining the voter's most current address. This portion is designed to increase UOCAVA voter turnout and decrease the undeliverable mail percentages;
- **4. Online Ballots:** work with stakeholders to identify where ballots are being slowed down in the process from delivery through printing and return and reduce the obstacles that hinder the process. This portion will help increase the percentage of ballots successfully returned by UOCAVA voters;
- **5. Duplication automation:** deploy technology and processes that streamline the ballot duplication processes (recreating scan-ready ballots); saving time, money, and most importantly boosting accuracy rates of duplicated ballots.

Analysis and Measurement of Current Processes

- 1. Tracking system: Currently the tracking process for UOCAVA voters is a manual process. There is an online process for Voter Registration; however, no online tracking exists for the ballot application and subsequent activities on a local level, but is available on the state website.
- **2. Voter registration:** the FPCA registration process is cumbersome, time-consuming, and contingent upon location and assets of the voter, difficult if not impossible, to enable potential registrants to become eligible to vote in a timely manner.
- **3. Voter Address:** Overseas voters can rely on applications sent in over two federal election cycles, up to five years. Oftentimes, the addresses change without notification to the County Clerk's Office. Current law now requires a new application every year, but there is potential to reduce the number of outdated addresses by working with the stakeholders.
- **4. Online Ballot:** see number 2 above; even those who successfully register are still encumbered with delays in accessing a document-based ballot delivered by various

means, and even then physical return requirements imperil timely return and validation of these ballots.

5. Duplication automation: voted and returned ballots require tedious and error-prone duplication so that they can be properly processed by optical scan technology

Identification of Each Process and Elements Related to the Processes

- Tracking: development of the tracking system should be fairly simple and accomplished quickly. The key will be to design a page viewable by the UOCAVA voter that will provide sufficient information from the existing database maintained by Votec.
- 2. Voter registration: voter registration requests from UOCAVA voters are received in several different ways (e.g. mailed paper forms, via Federal Post Card Application (FPCA)). It will be necessary for the designated programmer to work with Votec to automatically upload the information from an e-mail; thereby decreasing the dependence on employees to monitor incoming e-mails.
- 3. Voter Address: the voter is responsible for updating their change of address. Currently there is not sufficient time to send a confirmation card to ensure the correct address. Notification through e-mail will greatly enhance the return of UOCAVA ballots.
- **4. Online Ballot:** ballots are transmitted via a mailed paper ballot, an emailed blank PDF ballot, or potentially a web-based access. The Online ballot will allow the UOCAVA to type in their selections and have it printed on a PDF document.
- 5. Duplication automation: voted ballots received by statutory deadlines are validated, then manually duplicated by manual retrieval of the proper ballot type from secured document archives; voter marks are manually transferred by teams of (2) personnel as follows: one clerk reads aloud voter preferences, while second clerk marks those preferences on a paper ballot, and then both clerks checks the accuracy of the duplicated marked ballot.

Identification of Potential Risks & Mitigating Strategies

Risk	Impact	Prob.	Mitigation
Election system vendor is unable to meet the needs of the project on schedule.	1	2	Select a vendor with a strong track record of success at election projects. Manage vendor deliverables with weekly status updates.
Ballot data is finalized with	1	1	Integrate online election vendor systems with

insufficient time to implement online election project.			Election Management Systems for direct transfer of data.
UOCAVA voter registration data changes frequently during the course of the election.	3	1	Integrate the Federal Post Card Application with the online election system. Schedule voter registration database updates in advance.
UOCAVA voters may not have Internet access.	1	1	Deploy Mobilized Universal Ballot Access solution for areas with high UOCAVA voter populations but low Internet access.
Tight project timescales mean that delays will lead to missed election go live date.	2	2	Front load election project with draft election produced well in advance of actual ballots. Choose vendor with strong track record of success in deploying on-time elections.
Ballots of online election contain errors.	1	2	Audit vendor's quality assurance process. Ensure all acceptance, Logic and Accuracy tests are completed successfully before election go live date.
Project subject to malicious electronic attack	4	1	Work to secure based on DCA approved and other standards. Create a detailed business continuity and disaster recovery plan.
Physical security at data center may be compromised	4	1	Maintain security management measures compliant with SAS 70 Type II [TI1] defined in the data center service level agreement.
Vendor staff may present a security risk to the project	4	1	Undertake security checks on vendor employees to assess risk of possibility of such occurrences.
Customer demand for the election services might be larger than anticipated.	2	1	Ensure that the technical system is built to cope with the largest possible demands. Automatic monitoring of system configured for notifications 24/7 should system go outside of expected parameters.
Negative news stories about the new voting methods appear in the local press.	2	1	Engage with local press during the voter engagement campaign and provide them with positive stories and photo opportunities to educate them about benefits.
Turnout is low.	3	3	Start voter engagement and promotion of the new services early in the year and build up to

			a crescendo around voting time in order to encourage voting.
Culture change issues may generate negative feelings in internal staff and stakeholders working on the project.	1	1	Start internal promotion of the project as soon as possible after contract agreement. Also provide complete visibility of the service development to end users throughout the process.
Some technologies may be new to some election staff	1	3	Ensure staff receives relevant training before they employ their skills. Establish skills hierarchy and provide technology briefings that highlight specific issues of importance to the implementation of each pilot.

Formalization of Performance Indicators for Each Process

- **1. Tracking:** once UOCAVA voters can follow their communication as it is processed, the tracking program will be complete.
- **2. Voter registration:** compare voter registration rates of UOCAVA voters across like elections.
- **3. Voter address:** substantial decrease in returned mail.
- **4. Online Ballot:** compare and measure the following UOCAVA criteria:
 - a. ballots made available electronically across like elections;
 - b. ballots voted electronically across like elections;
 - c. ballots returned across like elections;
 - d. ballots counted across like elections;
 - e. ballots invalidated for various reasons;
 - f. implement optional post-voting surveys to gauge effectiveness, friendliness and accessibility of web-enabled balloting solution.
- **5. Duplication automation:** measure amount of staff time required to duplicate returned and validated UOCAVA ballots compared to manual processes previously employed.

Justification for Modification of Current Processes

- 1. Tracking: the current system is limited to voter registration and needs to be expanded to the FPCA process. Additionally, the tracking system will collect information for reporting purposes of Harris County Elections Division.
- **2. Voter registration:** to increase the participation of the UOCAVA voter populace because registering to vote will be easier and more rapid; the FPCA registration process (among other means) is too cumbersome and often too time-consuming to enable potential registrants to become eligible in a timely manner.
- **3. Voter address:** to decrease the amount of mail and e-mail that is returned undeliverable as the UOCAVA mail undeliverable rate is much higher than the local mail-in ballot process.
- **4. Online Ballot:** to increase time to vote and return a ballot because current process is too reliant on document-based delivery vehicles; email addresses are more immediately verifiable than physical addresses for UOCAVA voters; easier electronic remedy of issues as compared to document-based delivery approaches.
- **5. Duplication automation:** measurable cost/benefit return via increase in the efficiency and accuracy of duplication of voted and returned ballots; as UOCAVA participation increases, ROI will increase.

Projections of the Effectiveness of the Modifications

NOTE: as time passes and prior to the start of the research project, Harris County aims to more fully embellish statistics if their current capabilities allow the enumeration of such data by UOCAVA voters.

1. Tracking: The tracking system will be highly effective and engender a higher degree of confidence in the system by the UOCAVA voter.

2. Voter registration:

- Increased participation with more readily available electronic access to an online tool, expect more individuals to be able to easily register
- Data entry error reduction if voters are able to enter data electronically to the database, transcription errors (e.g. from illegible handwriting) are drastically reduced.
- Cost savings data entry expenses reduced if voters self-enter data
- Expectation that registrations submitted on paper forms will migrate to online registrations. Forecast for 2012 General Election that more voters will register on-line as register by paper

• Percentage of potentially challenged UOCAVA ballots not counted due to return delays/certification demands of an election will be measurably reduced

3. Voter Address:

• Decrease the amount of ballots returned undelivered will drop at least by 30%.

4. Online Ballot:

- 24 x 7 during the 45 day voting period
- voter ensured of receiving the ballot styles, contests, and candidates specific to their registered address.
- delivery of ballot guaranteed for UOCAVA voters compared to traditional document-based delivery
- Significance: prevent over-votes and warns about under-votes; voter errors will be virtually eliminated (HAVA-mandated 2nd chance voting).
- Ballots accessed online and completed online using an electronic marking tool to eliminate voter intent issues

5. Duplication automation:

- Cost/benefit: lower staff costs and time as manual effort is reduced
- Enhanced accuracy: automated duplication of ballots via a 2D bar code will reduce errors introduced in manual duplication efforts
- Scalable: auto duplication allows election offices to absorbed increased UOCAVA participation without increasing ballot processing staff. It also allows election offices to expand the capabilities being developed for the UOCAVA community to other communities (e.g. disabled voters) in a cost effective manner.

Measurements of Performance

Refer to the reports overview provided at the conclusion of the Technical Approach and Justification overview.

Current and Pending Project Proposal Submissions (not included in page limitations)
Other than the Help America Vote Act Grant, there are no other submission by the Harris County Elections Division.

Qualifications – Resumes

JASON BRADLEY WILLIAMS

SUMMARY:

Over seventeen years of extensive information technology administration with a strong focus on PC/Server platforms and network installations, configuration, troubleshooting and LAN/WAN management.

EXPERIENCE:

Harris County Clerk's Office, Texas 2002-Present

Director of Information Technology

2007-

Present

- Oversee daily operations of the Information Technology department consisting of 42 staff members including Network Administrators, Software Developers, Database Administrators, Helpdesk Technicians, various supervisors and Data Entry Clerks.
- Designed the Harris County Clerk's Office current Data Center, in the design careful consideration was give when focusing on energy conservation to maximize energy and cooling savings. Room security was solved by adding badged security access at the only entry point; the room is under video surveillance.
- After Hurricane Ike funding was authorized to partner with a Co-Location partner and <u>all</u> SAN attached storage is real time replicated to a secure data center located in Phoenix Arizona. During this process an overarching project plan was developed to create an enterprise storage solution, as a result a Compellent SAN was installed replacing an aging EMC solution.
- Put together the request to replace the County Clerks aging mainframe Court Case Management system, from the RFP to serving on the RFP committee and currently overseeing the technical installation.
- Overseeing a Mainframe migration project which is developing Windows Applications to replace the Unisys Mainframe.

Network Administrator

2002-2007

- Maintain the Harris County Clerk's Office entire network including WAN connections all annexes.
- Current projects are the implantation of Emc Clariion CX 500 to create an environment for a 4 node SQL 2005 cluster to migrate data from a aging Unisys mainframe.
- Maintain many aspects of Active Directory User Administration, Group Policy, DNS/WINS.
- Designed current Altiris installation including PXE installation, silent software installations.
- Installed and configured a Dell Power Vault NAS for storage of images of public records.

- Implemented a network based video security system to monitor various locations and recorded to a central location.
- Maintain all Election Servers during early voting and election times, including all communications to Early Voting sites. On election night I serve as one of the two system operators for tabulation of votes in Central Count.
- Engineered online disaster recovery system, for Citrix, SQL, and Oracle servers.
- Configured and maintain several Citirx servers and over 200 Citrix Users.

HealthHelp, Houston, Texas

HealthHelp is a premier Radiology Management Company serving over 6 million people.

Technical Services Manager

1999-

2002

- Provide server and back end network support for LAN/ WAN and Phone Switch.
- Installed and manage Shiva VPN solution.
- Maintain all WAN connections to 4 locations across the country.
- Travel to remote locations and maintain all hardware including phone system support.
- Responsible for the installation and maintaining an enterprise fax solution.
- Installed all Exchange Servers and responsible for day-to-day operations.
- Reporting to the Director of IT, created the company wide network infrastructure including WAN connections.
- Maintain PBX (moves, adds, and changes), Telco services including T1, PRI, ISDN, POTS, and long distance rates.
- Responsible for maintaince on all Cisco products including Catalyst switch, enterprise routers, and PIX firewall solutions.
- Installed and configured nightly backup process that is maintained by the HelpDesk.
- Maintain, install, and configure in-house custom software applications.
- Maintain overall Server Room support including security, additional A/C for 24hr constant cooling, cleanliness, space allocation, and all emergency power.

Allright Corporation, Houston, Texas 1998 – 1999

The largest parking management services company, with 110 business units and over 5,000 employees.

Systems Administrator

- Directly responsible for NT Administration including domain management, user profiles, share management, DNS, DHCP, WINS, login scripts, and entire nightly system backup.
- Responsible for all hardware and software workstation equipment purchase, installation and training.
- Exchange administration installing exchange servers, maintaining e-mail accounts and connectivity.

- Responsible for network connectivity for employees over Token Ring, Ethernet, and Fast Ethernet topologies.
- Setup/install VPN for 110 business units and corporate subsidiaries for email and mainframe access.
- Provide desktop, network and VPN support to 5000 employees with both mobile and office-based equipment.
- Maintain imaging process, which reduces user rollout time and day-to-day operations.
- Act as an information systems liaison for 110 business units.
- Manage all network printing including connectivity and software management.
- Maintain continuous technology knowledge and training in parking lot management hardware and software.
- Managed migration from Windows 3.11 to Windows 95 and Windows NT workstation.
- As a part of a Move Team responsible for the coordination of office cabling for voice and data and moving of 100 employees to a new corporate headquarters.

TECHNICAL BACKGROUND:

- **Networking OS:** Windows 2003 & 2008 Server & Advanced Active Directory, Windows 2000 Server & Advanced
- SAN: Emc Clariion CX 500 Series, Compellent
- **Desktop Management:** Altiris NS/DS 6.x, Client Management Suite Level 1-3, Dell Open Management Management/Managed Station
- Server Hardware: Dell Poweredge
- Firewall: Resilience Ndurant Express 30 w/Management Station
- PC Hardware: Dell, Compaq/Hewlett Packard, and clones.
- **Software:** Windows 9x 7, Microsoft Office 9x 2010, Ghost, PC Anywhere, HP Web Jet Administration, Veritas Backup Exec, MS SQL 2000-2008, EMC Networker, Solarwinds.Net
- **Print Servers:** HP Jet Direct, Lexmark
- **Terminal Server Packages:** Citrix Xenapp Server
- **Network Topology:** 10/100/1000 Ethernet, Gigabit, Fiber
- **Email Systems:** Exchange 2003-2010 Microsoft Exchange Server 5.5 Enterprise
- **Phone System:** Inter-Tel Axxess and management software, NEC2400IPX w/ACD and Wygant Voice Recorder
- **Mainframe Servers:** Unisys ClearPath
- **Remote Access:** Microsoft VPN/Dial-up
- **Miscellaneous:** Voice & Data cabling, RAID array, KVM, Tape/Autoloader DLT & DAT, CD/CDRW/DVD, T1s, PRI, ISDN, POTS
- **Emergency Power:** Liebert Series 300 75kva w/ Liebert PDU, Onan 400amp diesel generator, Onan Automatic Transfer Switch

EDUCATION:

Tomball College, Tomball Texas Blinn College, Bryan Texas

General courses toward Computer Science Degree

CERTIFICATIONS:

Dell Certified Technician – December 5, 2000

- PowerEdge Server
- Precision Workstation
- Latitude Notebook
- Optiplex Desktop
- Dimension Desktop

Jennifer Lee Ballard Supervisor of Elections Harris County Clerk Elections Division 1001 Preston Street, Suite 400 713-755-3150 jballard@cco.hctx.net

Experience:

2/1998 – present Harris County, Texas – County Clerk's Office – Elections Division.

Supervisor of Elections. Duties include supervisor over 60 employees to complete the following tasks: Ballot By Mail, Overseas Voters, Voter history, Logic and Accuracy Testing, Liaison with Ballot Board, Provisional Ballot processing, Limited Ballot processing, voting fraud audit, astronaut voting. Per election, approximately 60,000 – 80,000 ballots are processed by the absentee ballot section. Designed and Implemented new voting system for astronauts in 2010. Played an integral role on the team to implement the

Voter Election Management System.

1/1996 – 1/1998 Harris County, Texas – County Clerk's Office – Elections Division. Clerk.

Duties: Ballot By Mail. Processed applications for absentee ballots and punch

card ballots for elections.

5/1991 – 12/1995 A-Z Landscape and Lawn Maintenance. **Business Owner**. Duties: billing,

advertising, collecting.

1/1989 - 6/1990 Harris County, Texas – County Clerk's Office – Personal Records. Clerk.

Duties: processed personal records for Harris County.

Education: Aldine High School 1986

Special Skills: management of the Mail-In Ballot program for Harris County

Computer Skills: Ballot Now, VEMACS, TEAM, EXCEL, VoteSAFE

Awards: Hart InterCivic "Eslated for Success"; Harris County Commissioners

Court Resolution – November 23, 2010 – for pulling together the Election

after the August 27, 2010 fire.

Thomas Middleton Moon Senior Manager of Voter Registration Harris County Tax Assessor-Collector's Office 1001 Preston Street, Texas 77002 713-368-2200 tom.moon@tax.hctx.net

Experience:

1/1/2011 – present	Harris County Tax Assessor-Collector's Office – <i>Senior Manager of Voter Registration</i> . Responsible for the registration of close to 2 million voters in Harris County. Harris County is the third most populous county in the nation. Oversees multiple sections including: mapping, data entry, voter call center, application review, volunteer deputy training, imaging and voter incoming mail center.
8/2005 – 12/2010	Harris County Clerk's Office – <i>Assistant Administrator of Elections</i> . Responsible for locating and staffing 37 early voting locations and over 740 election day locations for each election. Supervised training of election day workers, early voting, and technicians. Handled open records requests data extracts for the Elections Division.
3/2000 – 7/2005	Harris County Tax Assessor-Collector's Office – <i>Special Projects Manager</i> . Designed and Implemented voter registration system, time clock system design.
10/1999 – 2/2000	Cathy McConn Campaign Texas Congressional District 7 – Campaign Manager – Supervised campaign projects including fundraising, marketing, speaking engagement schedules, stakeholder meetings.
6/1971 – 9/1999	Cameron Ironworks – <i>Information Technology Liaison</i> . Participated on the design team to implement SAP system world-wide. Additionally designed management information system and extracted information from the management information system for company leadership decision-making. Managed production inventory control program

Education:

Texas A&M University, College Station Texas, Bachelor of Science – Industrial Technology – 1971

Special skills: ACCESS database, EXCEL, VEMACS

Sonya L. Aston Harris County Clerk's Office Assistant Administrator of Elections 1001 Preston Street, Suite 400 Houston, Texas 77002

saston@cco.hctx.net 714-755-5792

Education: SOUTH TEXAS COLLEGE OF LAW, J.D. - May 1993

Articles Editor: Currents, International Trade Law Journal

Varsity Advocate: Semi-finalist & quarter-finalist Mock trial, Regionalist Client

Counseling

Quarter-finalist Negotiation Competitions, SBA officer: Outstanding Officer

Award

UNIVERSITY OF TEXAS AT AUSTIN, B.A. in History, December 1986

Governmental Attorney working for Harris County Clerk, Harris County Tax Assessor-Collector, and City of Houston.

LAWYER

- 03/11-present **Harris County Clerk,** Houston, Tx. Assistant Administrator of Elections. Oversee training, election poll staffing and legislative activities. Assist with contracts and grant writing and other duties as assigned.
- 12/06 02/11 **Harris County Tax Office,** Houston, Tx. Director of Compliance. Harris County is the third largest county in the United States. Provide legal review and support for property tax collection, automobile registration, voter registration, liquor permitting, legislative presentations and analysis. Supervised multiple projects involving entire Tax Office Staff and projects with other governmental entities. Coordinated development and presentation of new employee handbook.
- 12/05-11/06 Collier Legal Search Houston, Tx. Legal Recruiter. Highly successful in bidding and staffing large attorney contract projects. Supervised over 40 attorneys on variety of projects.
- 06/03-08/05 **Mayer, Brown, Rowe & Maw** Houston, Tx. Lead Contract Attorney. Supervising team of 30 contract attorneys on discovery issues in major securities litigation.
- 09/02-06/04 **Campbell, George & Strong** Houston, Tx. Of Counsel. Environmental permitting, administrative proceedings, commercial litigation. Activities involve discovery preparation, privilege review, motion drafting, client counseling, business development.

- 08/00 09/02 **Conoco, Inc. -** Houston, Tx., Environmental Group. Environmental Regulatory and Litigation Attorney. Responsibilities included interpretation of highly technical and analytical materials; comprehension, over-sight and decision-making on groundwater modeling projects; trial preparation; witness preparation; client counseling and coordination of experts and outside counsel for filings in the California Charnock Wellfield MTBE regulatory and litigation matters. In addition, handled California UST Fund reimbursement, Internal Environmental Audit issues, and retail site contamination issues.
- 10/96 08/00 City of Houston, Tx. Legal Dept., Land Use Environmental Law Section. Responsibilities included development of environmental policy, first chair on administrative and civil litigation; client counseling; legislative analysis; negotiation and drafting contracts for settlement and right of entry; permitting; interaction with EPA, TNRCC and other governmental agencies; and general knowledge of air, water and land environmental issues. Also, acted as an integral member of the Mayor's executive air policy team focusing on enforcement in the region and development of legislation.
- 2/94 10/96 **City of Houston, Tx. Legal Dept.**, Business Litigation Construction Section. Duties: litigation management, client interview, technical and legal research, drafting pleadings and summary judgment motions, expert witness preparation, drafting jury charge, hearings and trial argument, City ordinance drafting. Daily issues concern breach of contract, commercial law, government, construction and environmental causes of action.

LEGAL ASSISTANT

- 8/89 2/90 **Heller** Anchorage, Ak. Lead Legal Assistant in charge of responses to federal grand jury subpoenas served on Alyeska Pipeline Service Co. regarding the Exxon Valdez spill and Alyeska's operations and role in the response. Duties: supervision of attorney review of over 1 million documents, privilege log preparation, production of documents, and assisted in factual and legal research on pertinent issues.
- 4/88 7/89 **Heller** San Francisco, Ca. Lead Legal Assistant in large municipal securities litigation. Duties: deposition preparation, computerization & coding of over 600,000 documents, proofing and supporting motions for summary judgments, cite checking, and legal assistant training.

Language: Semi-Fluent in German

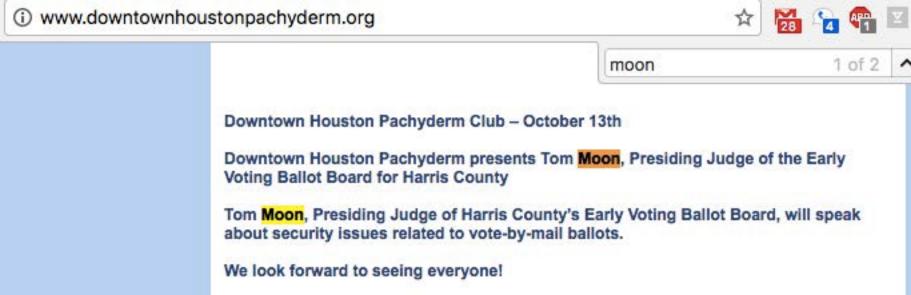
Budget Proposal

BUDGET PROPOSAL

Itemized Budget:

Items	Total
A. Direct Labor:	
n/a	\$0.00
Subtotal	\$0.00
B. Administrative and Clerical Labor:	
n/a	\$0.00
Subtotal	\$0.00
C. Fringe Benefits and Indirect Costs:	
n/a	\$0.00
Subtotal	\$0.00
D. Travel:	
San Antonio, TX - 3 Clerks - 2 nights (Travel \$658.56, Lodging \$780, Meals \$210)	\$1,648.56
Austin, TX - 3 Clerks - 2 nights (Travel \$540.96, Lodging \$780, Meals \$210)	\$1,530.96
Belton, TX - 3 Clerks - 2 nights (Travel \$601.44, Lodging \$612, Meals \$210)	\$1,423.44
San Diego, CA - 3 Clerks - 2 nights (Airfare \$1,065, Lodging \$1,380, Meals \$210)	\$2,655.00
Subtotal	\$7,257.96
E. Subcontracts/sub awards:	
One time fee for subcontractor to develop and implement a user-friendly automated and efficient absentee voting system for overseas voters from Harris County.	\$0.00
Business Analyst: 160 hrs.@ \$142 to gather and analyze business requirements for the project.	\$22,720.00
Project Manager: 680 hrs. @ \$142 to manage to overall project	\$96,560.00
Solution Architect: 560 hrs. @ \$142 to define the software architecture	\$79,520.00
Senior Developer: 680 hrs. @ \$119 to develop the application	\$80,920.00
Data Analyst (DBA): 480 hrs. @ \$119 to setup databases for the application	\$57,120.00
10 % for contingencies	\$33,684.00

Subtotal	\$370,524.00
E. Committee and an	
<u>F. Consultants:</u> n/a	00.00
	\$0.00
Subtotal	\$0.00
G. Materials and Supplies:	
n/a	\$0.00
Subtotal	\$0.00
H. Other Direct Costs:	
SQL Server: Dell Server with 5 yr. of warranty	\$18,000.00
MS SQL License	\$40,000.00
Backup agent for SQL Server	\$1,000.00
Fiber connections	\$7,500.00
Exchange Server: Dell Server with 5 yr. of warranty	\$12,000.00
MS Exchange License	\$7,500.00
Backup agent for Exchange Server	\$1,000.00
2 Production document scanner setup including high speed document scanner, pc, software	\$40,000.00
2 HP LJ 9050 high speed printers	\$7,500.00
10 Handheld bar code scanners	\$3,850.00
Subtotal	\$138,350.00
I. Total Direct Cost (sum of A through H):	
Subtotal	\$512,131.96
J. Total Indirect Cost (sum of A through H).	
Subtotal	\$0.00
K. Grand Total Cost (sum of A through H).	\$512,131.96





CERTIFICATE OF VOTE

WE, THE UNDERSIGNED PRESIDENTIAL ELECTORS FOR THE STATE OF UTAH, elected at the November 8, 2016 regular general election, certify that we each cast ballots for President of the United States of America and Vice President of the United States of America with the following results:

Persons Who Received Votes for President of the United States of America

Donald J. Trump of New York, six votes

Persons Who Received Votes for Vice President of the United States of America

Michael R. Pence of Indiana, six votes

IN WITNESS WHEREOF, we have hereunto set our hands at the Utah State Capitol on this 19th day of December 2016.

Cherilyn Eagar

Kris Kimball

Jeremy Jenkins/

Peter Greathouse

Chia Chi Tana

Dighard Spalarov

State of West Virginia

Certificate of Vote

We, the Electors for President and Vice President of the United States, ratified at the 2016 Republican State Convention in Charleston, West Virginia, on August 30, 2016, certify that we assembled in the Office of the Governor, State Capitol, Charleston, West Virginia on December 19, 2016, and voted as follows:

FOR PRESIDENT

NUMBER OF VOTES

Donald J. Trump

Five (5)

FOR VICE PRESIDENT

NUMBER OF VOTES

Michael R. Pence

Five (5)

IN WITNESS WHEREOF, we have hereunto set our hands and caused the Great Seal of the State of West Virginia to be affixed.

DONE at the Capitol, in the City of Charleston, West Virginia, this the nineteenth day of December, in the year of our Lord, Two Thousand Sixteen, and in the One Hundred Fifty-fourth year of the State.

By the Electors:

ELECTORS:

William "Bill" Cole

Son Foster

Patrick Morrisey

Patrick Morrisey

Ann Urling

Ann Urling

Andew "Mac "Yaharu

Mac Warner

SECRETARY OF STATE

ADVISORY OPINION NO. 2012-51

Issued On January 10, 2013 By The

WEST VIRGINIA ETHICS COMMISSION

OPINION SOUGHT

An **Assistant Attorney General** asks whether he may serve as an elected City Council Member.

FACTS RELIED UPON BY THE COMMISSION

The Requester is an attorney. He is leaving the private sector to join the Office of the Attorney General.

He presently serves an elected City Council Member. He states that if he continues serving as a Council Member, he will perform the functions of his City Council position on his own time, not during his public work hours. He asks whether there is anything in the Ethics Act which prohibits him from remaining on City Council once he becomes an Assistant Attorney General.

CODE PROVISIONS RELIED UPON BY THE COMMISSION

W. Va. Code § 6B-2-5(b) reads in relevant part:

A public official or public employee may not knowingly and intentionally use his or her office or the prestige of his or her office for his or her own private gain or that of another person.

ADVISORY OPINION

In general there is no provision in the Ethics Act which prohibits employees of the State of West Virginia from holding an elected public office. In A.O. 90-87 the Commission ruled that an employee of a State Park may serve on City Council. In A.O. 96-16 the Commission ruled that a State University Professor may serve as a member of a State Board. See also A.O. 2012-23 wherein the Commission reiterated that there is nothing in the Ethics Act which prohibits part-time public servants from accepting any particular employment position or holding another public office.

The position of City Council Member is a part-time position. Based upon the plain language of the Ethics Act, and its prior opinions, the Commission finds that for purposes of the Ethics Act it is permissible for an Assistant Attorney General to also serve as an elected City Council Member.

Limitations apply. Specifically, the Requester must perform his City Council duties on his own time, not during his public work hours. W.Va. Code § 6B-2-5(I). If the Requester has regular work hours at his State job, and if he is authorized to make-up hours to perform the duties of his City Council position, then he must contact the Ethics Commission for further advice as he may be required to file time records with the Commission. W.Va. Code § 6B-2-5(I) and W.Va. C.S.R. § 158-14-1 et. seq.

While nothing in the Ethics Act prohibits an Assistant Attorney General from serving as an elected City Council Member, the Commission has no jurisdiction to rule whether the West Virginia Constitution permits it, or the applicability, if any, of the common law doctrine of incompatibility. This doctrine stands for the proposition that "incompatibility rests not upon physical inability to perform the duties of both offices, but arises from the inconsistent nature of the offices and their relation to each other, rendering it improper, from considerations of public policy for one person to perform the duties of both." State ex rel. Thomas v. Wysong, 125 W. Va. 369, 24 S.E.2d 463, 466 (1943). See also 49 W.Va.Op.Atty.Gen. 398 (1962)(setting forth various positions which are incompatible) and 31 W.Va.Op.Atty.Gen. 87 (1924)(wherein the Attorney General opined that it did not violate this doctrine for a Member of the House of Delegates to also serve as an elected Member of the City of Charleston Council).

Public employees seeking to hold public office should also consult with their agency's attorney to ensure that no personnel policies of their agency, State laws, or federal laws, e.g. the Hatch Act, restrict their employment.

This advisory opinion is limited to questions arising under the Ethics Act, W. Va. Code § 6B-1-1, et seq., and does not purport to interpret other laws or rules. In accordance with W. Va. Code § 6B-2-3, this opinion has precedential effect and may be relied upon in good faith by other similarly situated public servants unless and until it is amended or revoked, or the law is changed.

s/s R. Kemp Morton III
R. Kemp Morton, III, Chairperson

Bill Cole (politician)

From Wikipedia, the free encyclopedia

This article is about the West Virginia state senator. For the American jazz musician, see Bill Cole (musician).

William Paul "Bill" Cole III (born May 16, 1956) is an American politician and a Republican member of the West Virginia Senate representing District 6 since December 1, 2012. He is President of the Senate and, as such, holds the title of Lieutenant Governor. Cole also served in the West Virginia House of Delegates from May 28, 2010 until December 1, 2010 to fill the vacancy caused by the resignation of Delegate John Shott.^[1]

Cole was the Republican nominee for West Virginia Governor in 2016, choosing to run for the office rather than run for re-election to the state senate.^[2] He lost the election to Jim Justice, and will leave the Senate on January 16, 2017. The Republican Senate caucus will choose his successor.

Contents [hide]

- 1 Education
- 2 Elections
- 3 Tenure
- 4 Electoral history
- 5 References
- 6 External links

Education [edit]

Cole earned his BBA from Northwood University in Midland, Michigan.

Elections [edit]

In 2012, Cole challenged Democratic Senator and former state Delegate Mark Wills, who had been appointed to the post. Cole was unopposed in the Republican Primary held on May 8, 2012. Cole received 2,757 votes in the primary.^[3] He went on to win the November 6, 2012 General election with 18,598 votes and 53.3% of the vote against Senator Wills.^[4]

In 2015, Cole declared his candidacy for Governor of West Virginia in the 2016 election. [5] Senator Shelley Moore Capito, state Attorney General Patrick Morrisey, Charleston Mayor Danny Jones and West Virginia's three congressman all endorsed Cole, [6] essentially clearing the path for Cole to become the Republican nominee uncontested. Cole received fundraising support from Indiana Gov. Mike Pence [7] and from former Texas Gov. Rick

Bill Cole



President of the West Virginia Senate

Incumbent

Assumed office January 14, 2015

Preceded by Jeff Kessler

Succeeded by Mitch Carmichael (Designate)

Member of the West Virginia Senate from the 6th district

Incumbent

Assumed office

December 1, 2012 Serving with Mark Maynard



NEWS

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Mac Warner announces top staff in W.Va. Secretary of State's office

SHARE ARTICLE

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By Brad McElhinny in News | December 30, 2016 at 4:58PM

CHARLESTON, W.Va. – Secretary of State-elect Mac Warner has made several staffing announcements ahead of his Jan. 16 inauguration.

Chuck Flannery will serve as chief of staff; Mike Queen will serve as deputy chief of staff for external affairs and director of communications; and Steve Connolly will be chief legal counsel.

"Chuck, Mike and Steve have decades of experience working across West Virginia and will serve our great state well as leaders in the Secretary of State's office," Warner stated in the announcement.



Mac Warner

"From incentivizing business and economic growth to instilling confidence in our democratic system, we have a lot to do in Charleston. I'm putting together a team who will come to work every day thinking about how they can help improve life in West Virginia."

Flannery is a lifelong West Virginian and a graduate of West Virginia University who has worked in government and political campaigns across the state. Flannery most recently served as campaign manager for U.S. Senator Shelley Moore Capito in 2014 and West Virginia gubernatorial candidate Bill Cole in 2016.

From 2005 to 2008, Flannery served under then-Secretary of State

MOST POPULAR

West Virginia fuel tax drops on New Year's, but is it cause to celebrate?

The 50 most viewed high school stories of 2016: 10-1

Sago Mine Disaster survivor, 10 years later

Morgantown bank robbery suspect arrested in Parkersburg

Next D-MAPS secretary has idea for filling vacancies

1 killed, 2 critically hurt in Lincoln County car wreck



Q

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Special pages

Permanent link

Page information

Wikidata item

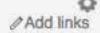
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Patrick Morrisey

From Wikipedia, the free encyclopedia



This article has been nominated to be checked for its neutrality. Discussion of this nomination can be found on the talk page. (August 2015)

(Learn how and when to remove this template message)

Patrick James Morrisey (born December 21, 1967) is the Attorney General of West Virginia and the first member of the Republican Party to serve as West Virginia's Attorney General since 1933. [1]

Contents [hide]

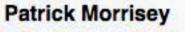
- 1 Early life and education
- 2 Career
- 3 Federal lawsuits
 - 3.1 Legal strategy
 - 3.2 Patient Protection and Affordable Care Act
 - 3.3 Environmental Protection Agency
 - 3.4 Second Amendment
- 4 Personal
- 5 Electoral history
- 6 References

Early life and education [edit]

Born in Brooklyn, New York, Morrisey grew up in Edison, New Jersey. [2] His father was account manager at U.S. Steel, while his mother worked as a registered nurse.[2] Morrisey ran cross-country and played on his high school's tennis team, before he graduated from Bishop George Ahr High School in 1985.[2]

Morrisey graduated with honors from Rutgers College with a Bachelor of Arts in history and political science in 1989.[3] He also attended Rutgers School of Law-Newark, receiving his juris doctor in 1992. [4][5]

Career [edit]





34th Attorney General of West Virginia

Incumbent

Assumed office

January 14, 2013

Earl Ray Tomblin Governor Jim Justice (Elect)

Preceded by Darrell McGraw

Personal details

Patrick James Morrisey Born

December 21, 1967 (age 49)

New York City, New York, U.S.

Political party

Republican

History and Political Science Education

UNITED STATES OF AMERICA

STATE OF WISCONSIN

CERTIFICATE OF VOTE CAST

FOR

PRESIDENT AND VICE PRESIDENT OF THE UNITED STATES

BY

PRESIDENTIAL ELECTORS OF WISCONSIN

* * * * * * * * * *

WE, THE UNDERSIGNED, ELECTORS OF PRESIDENT AND VICE PRESIDENT OF THE UNITED STATES OF AMERICA, being duly elected, qualified and acting Presidential Electors of the State of Wisconsin, pursuant to the attached certificate of the Chairperson of the Wisconsin Elections Commission, certified by Michael Haas, Interim Administrator of the Wisconsin Elections Commission and exemplified by Governor Scott Walker and Secretary of State Douglas La Follette, respectively; having met and convened at the State Capitol, in the City of Madison, in the State of Wisconsin, at 12:00 noon on December 19, 2016, pursuant to Section 7, Title 3 of the United States Code, and Section 7.75 of the Wisconsin Statutes, for the purpose of casting our votes for President and Vice President of the United States, and the transmitting of the results of our determination, in accordance with Sections 9 and 11, Title 3 of the United States Code, DO HEREBY CERTIFY:

That all of such Presidential Electors, so elected and so certified to this meeting of the Electoral College answered present and were present in person.

WE FURTHER CERTIFY that the following distinct lists contain a correct abstract of the votes cast for the election of President and Vice President of the United States, respectively:

FOR PRESIDENT

Names of Persons Voted For	Number of Votes
DONALD J. TRUMP of the State of New York	Ten (10)

FOR VICE PRESIDENT

Names of Persons Voted For	Number of Votes
MICHAEL R. PENCE of the State of Indiana	Ten (10)



IN TESTIMONY WHEREOF, We have hereunto set our hands. Done at the Capitol, in the City of Madison, in the State of Wisconsin, on the First Monday after the Second Wednesday in December, being the 19th day of December, 2016.

Brad Courtney, Chairperson
Brad Courtney, Chairperson
Kathleen Seernan
Kathy Kiernan, Secretary
1/ harda Nama
LANGE MOULT
Kim Travis
And Market
Kim/Rabler /
the last
Than J. Wester
Brian Westrate
(/01/6)
, Dan Feyen
. Julius eyen
De Demi
Kevin Hermening
Bott set sele
1 Mily Com
Bill Berglund
Stepter B Ling &
Steve King
My Server and a server a server and a server a server and a server a server and a server a server and a serve
May J. Buesture
Mary Buestrin

STATE OF WISCONSIN



WISCONSIN ELECTIONS COMMISSION ELECTORAL COLLEGE OF WISCONSIN

CERTIFICATE OF FILLING VACANCY

Upon the call of the roll, a vacancy became known due to the absence of Elector

Jim Miller

Representing the Seventh Congressional District of Wisconsin

Thereupon, by nomination duly made and seconded,

Kevin Hermening

was elected by the Electors present, as an Elector of President and Vice President of the United States of America for the State of Wisconsin to fill the vacancy in the manner provided by law. This Elector participated in the proceedings as set forth in record of the Electoral College.

IN WITNESS WHEREOF the undersigned Chairperson and Secretary of the Electoral College of Wisconsin hereunto subscribe their names this 19th day of December 2016.

Brad Courtney, Chairperson of the College

ATTEST:

Kathy Kiernan, Secretary of the College

Michael Haas, Interim Administrator Wisconsin Elections Commission





SCOTT WALKER

OFFICE OF THE GOVERNOR STATE OF WISCONSIN

P.O. Box 7863 Madison, WI 53707

CERTIFICATE OF ASCERTAINMENT FOR

PRESIDENT, VICE PRESIDENT AND PRESIDENTIAL ELECTORS GENERAL ELECTION - NOVEMBER 8, 2016

I, SCOTT WALKER, Governor of the State of Wisconsin, DO HEREBY CERTIFY that the following is a true listing of the votes cast for the election of Presidential Electors, at a General Election held in the several towns, villages, cities, wards and election districts within the State of Wisconsin, on the Tuesday next succeeding the first Monday in November 2016, being the EIGHTH day of said month.

That from the certified returns, the total number of votes cast for the election of Electors for President and Vice President of the United States was 2,976,150, of which number:

DONALD J. TRUMP and MICHAEL R. PENCE, candidates of the <u>Republican Party</u> for President and Vice President, and each of their electors, Kim Travis, Kim Babler, Brian Westrate, Brad Courtney, Kathy Kiernan, Dan Feyen, Jim Miller, Bill Berglund, Steve King and Mary Buestrin received 1,405,284 votes;

HILLARY CLINTON and TIM KAINE, candidates of the <u>Democratic Party</u> for President and Vice President, and each of their electors, Randy Bryce, Gretchen Lowe, Ryan Greendeer, Martha Love, Khary Penebaker, John W. Miller, Michael Childers, Mary Ginnebaugh, Martha Laning and Julilly Kohler received 1,382,536 votes;

DARRELL L. CASTLE and SCOTT N. BRADLEY, candidates of the <u>Constitution Party</u> for President and Vice President, and each of their electors, Nigel Brown, Dino Bohlman, Lorraine Rose Decker, Colin L. Hudson, William Hemenway, Robert E. Desjarlais, Larry A. Oftedahl, Mark H. Gabriel, Michelle J. Gabriel, Jerry Broitzman received 12,162 votes;

GARY JOHNSON and BILL WELD, candidates of the <u>Libertarian Party</u> for President and Vice President, and each of their electors, Jason Lebeck, Patrick Baird, Todd Daniel Welch, Andy Craig, Jeff Kortsch, Brian Defferding, Jim Maas, Kevin Winterstein, Joseph Kexel and Phillip Anderson received 106,674 votes;

JILL STEIN and AJAMU BARAKA, candidates of the Wisconsin Green Party for President and Vice President, and each of their electors, Shanon L. Page, Nelson Z. Eisman, Michael J. White, Tiffany Anderson, Mike McCallister, Jeff Reese, Lawrence E. Dale, Wendy L. Gribben, Cynthia S. Stimmler and Angela M. Aker received 31,072 votes;

CERTIFICATE OF ASCERTAINMENT December 12, 2016 Page 2

MONICA MOOREHEAD and LAMONT LILLY, candidates of the Workers World Party for President and Vice President, and each of their electors, Bernadine Theresa Jackson, Ron Blascoe, Michael Landers, Babette Grunow, Ian Michel, Lynne Pfeifer, Philip Anderson, Dennis Kelln, John Stoltenberg and Eric Jefferson received 1,770 votes;

ROCKY ROCQUE DE LA FUENTE and MICHAEL STEINBERG, candidates of the <u>American Delta Party</u>, for President and Vice President, and each of their electors, Joseph Lelac, Brad Engel, John Lloyd, John Ewing, George F. Anderson, Arthur Deleon, Jim A. Lewis, Stewart Smith, Janice Lahey and Ron Jacobs received 1,502 votes;

REGISTERED WRITE-IN CANDIDATES and other individuals received a combined total of 35,150 write-in votes.

I DO, THEREFORE, HEREBY DETERMINE AND CERTIFY that all the candidates for Presidential Elector on the Republican Ticket, having received the greatest number of votes, are duly appointed Presidential Electors for the State of Wisconsin:

Kim Travis
Kim Babler
Brian Westrate
Brad Courtney
Kathy Kiernan
Dan Feyen
Jim Miller
Bill Berglund
Steve King
Mary Buestrin

IN TESTIMONY WHEREOF, I have hereunto set my hand and caused the Great Seal of the State of Wisconsin to be affixed. Done at the Capitol, in the City of Madison, this twelfth day of December, Two Thousand and Sixteen.

COTT WALKER Governor

By the Governor:

DOUGLAS LA FOLLETTE

Secretary of State

I, Brad Courtney, Chairperson of the Republican, (name of chairperson)
certify that the following are the names and addresses of the 2016 Presidential Electors
for the, as selected by the, as selected by the
members of the Republican (name of party) Presidential (name of party)
Electors Nominating Convention on October 4, 2016:
Congressional District:
1st Kin Travis, 457 W GENEVA ST., WILLIAMS BAY WI
2nd KIM BABLER, 4575 DENNIS DR. MADISON, WI
3rd BRIAN WESTRATE, Elloso DEER RO. W. FALL GREEK WI
4th BRAD COURTNEY, 4600 N. WILSHIRE RD. WHITEFISH BAY, WI
5th KATHY KIERNAN, 1751 SCENIC RO, RICHFIELD, WI
6th DAN FEYEN, 962 CHURCHILL W., FUND dy LAC, WI
7th Jim Millor, 15611 W. LAKEWOOD DR. HAYAWARD, WI
8th BILL BERGLUND, 3870 RILEYS POINT RO. STURGEON BAY, WI
At Large Steve King, 3508 N EDGEWOOD DR. JANESVILLE WI
At Large MARY BUESTRIN, 1000 W CALUMET RO. RIVER HOUS, W
Signed in the City of Madison, (Name of Town, Village or City)
this 4th day of October, 2016. Brad Courtney (printed name of chairperson)

I, Mastha Laning, Chairperson of the Democratic Party of (name of chairperson)
certify that the following are the names and addresses of the 2016 Presidential Electors
for the
members of the Presidential Presidential
Electors Nominating Convention on October 4, 2016:
Congressional District:
1st Randy Bryce
1st Randy Bryce 2nd Gretchen Lowe
3rd hyan Greendeer
4th Martha Love
5th Khary Penebaker
6th John W. Miller
7th Michael Childers
8th Mory Ginnebaugh
At Large Martha Laning
At Large Julily Robber
Signed in the of
this 4^{th} day of October, 2016.
(signature of chairperson)
Martha Laning
(printed name of chairperson) Democratic Party of Wisconsin
(name of party)

I, Joseph Kexel, Chairperson of the Libertarian Party, (name of chairperson)
certify that the following are the names and addresses of the 2016 Presidential Electors
for the Libertarian Party , as selected by the (name of party)
members of the Libertarian Party Presidential (name of party)
Electors Nominating Convention on October 4, 2016:
Congressional District:
1st Jason Lebeck, 542 Harvard Ct, Janes Ville W/53548
2nd Patrich Baird, 956 Clarence Court Apt 1, Madison 4153715
3rd Todd Daniel Welch, 8834 Green Acres Court, Fall Creek, W1 5472
4th Andy Craig, 4148 N Colgate Cir, Milwauker W153222
5th Jeff Kortsch, W359N5125 Crestview Prive, Oconomowoc W15306
6th Brian Defferding, 686 Oak Street, Neengh W154956
7th Jim Mass, 616 S. First Avenue, Apt 3, Wansay W154401
8th Kevin Winterstein, 9658 County Rd Z, Pound, W154161
At Large Joseph Kexel, 7616 38rd Av Kenosha W153142
At Large Phillip Anderson, 2318 Westchester Rd Madison, W/ 53711
Signed in the City of Manison (Name of Town, Village or City), of the Country of Manison (Name of Town, Village or City)
this 4 th day of October, 2016.
(signature of chairperson)
Joseph M Kexel
(printed name of chairperson)
Libertarian Party (name of party)

I, ANDREW ZUELKE, Chairperson of the CONSTITUTION PARTY OF WIL
Accorded to the second of the
certify that the following are the names and addresses of the 2016 Presidential Electors
for the CONSTITUTION PARTY as selected by the
(name of party)
members of the Constitution Party Presidential Presidential
Electors Nominating Convention on October 4, 2016:
Congressional District:
1st Nigel Brown 132 S. Ringald St. Janesuille, WI 53925
2nd Dino Bohlman NS273 Mushroom Rd. Eden S3019
3rd Tomaine Rose Decker, 2632 S. 29th Sh La Crosse, 2/2 54601
4th Colin L. Hudson 6962D Rointree Dr. Milianker WI 5322
5th WILLIAM HEMENWAY William Homenway NISWARRA Watertown Rd. Wankester 5318
6th Robert E. Des Jankis Dolot & Onfolis 17624 Kusmen N. Mishoot, W. 5400:
7th LARRY A. OFTEDAHL Lamy Cr. Oftedell 121 N. 4THST. BARRON
8th Mark H. Gabriel Mak & Wolniel 3013 Schaefer Cir, Appleto
At Large Michelle & Sabriel Michelle J. Gabriel Same V
At Large & Brown Broitzman Milwawker WI 53222
Signed in the CITY of MADISON Town/Village or City) (Name of Town, Village or City)
this 4th day of October, 2016.
andrew zuelke
(signature of chairperson)
ANDREW ZUELKE
(printed name of chairperson)
CONSTITUTION PARTY OF WISCONSIN
CONSITION LAKIS OF WISCONSIN

(name of party)

I,Michael J. White, Chairperson of theWisconsin Green Party, (name of chairperson) (name of party)
certify that the following are the names and addresses of the 2016 Presidential Electors
for theWisconsin Green Party, as selected by the, as selected by the
members of the _Wisconsin Green Party Presidential
Electors Nominating Convention on October 4, 2016:
Congressional District:
1st _Shanon L. Page, 8938 14 [™] Avenue, Kensosha WI 53143
2ndNelson Z. Eisman, 1401 Lake View Ave, Madison, WI 53704
3rdMichael J. White, W1390 County Rd AE, Mindoro WI 54644
4thTiffany Anderson, 3240 Grange Avenue, Greenfield, WI 53221
5thMike McCallister, 77 West Arthur Avenue, West Allis, WI 53219
6thJeff Reese, 43 W 12 ^a Street, Fond du Lac, WI 54935 7thLawrence E. Dale, 1290 Cranberry Lake Rd, Eagle River, WI 54521
8thWendy L. Gribben W7382 County Rd X, Wausaukee, WI 54177
At LargeCynthia S. Stimmler, 1087 240 th Street, Dresser WI 54009
At LargeAngela M Aker, 3128 Roosevelt Road, Lower, Kenosha WI 53142
Signed in theTown ofMindoro, WI, this 26 th day of September 2016. Town/Village or City) (Name of Town, Village or City)
this 4" day of October, 2016. Muhael White
(signature of chairperson)
Michael J. White (printed name of chairperson)
Wisconsin Green Party

(name of party)



Search statutes: '13.92' or 'public parks'











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Wisconsin State Legislature

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Nomination of presidential electors. 8.18

HUST

- (1) Candidates for the senate and assembly nominated by each political party at the primary, the state officers and the holdover state senators of each political party shall meet in the state capitol at 10 a.m. on the first Tuesday in October of each year in which there is a presidential election.
- The purpose of the convention is to nominate one presidential elector from each congressional district and 2 electors from the state at large. The names of the nominees shall be certified immediately by the chairperson of the state committee of each party to the chairperson of the commission.

History: 1973 c. 334; 1975 c. 93; 1977 c. 427; 1993 a. 184; 2007 a. 1; 2015 a. 118 s. 266 (10).

State of Woming



PRESIDENTIAL ELECTOR CERTIFICATE OF VOTE

WE, THE UNDERSIGNED ELECTORS of President and Vice President of the United States of the State of Wyoming, having met in accordance with Wyoming law at the office of the Secretary of State on the first Monday after the second Wednesday of December 2016, DO HEREBY CERTIFY that we cast our votes for President and Vice President of the United States as set forth below:

PRESIDENT OF THE UNITED STATES

Names of Persons Voted For

Number of Votes

Donald J. Trump

Three (3)

VICE PRESIDENT OF THE UNITED STATES

Names of Persons Voted For

Number of Votes

Michael R. Pence

Three (3)



IN WITNESS WHEREOF, we have hereunto set our hands on this 19th day of December, 2016.

KARL TALLRED

BONNIE MARIE FOSTER

TERESA L. RICHARDS